ST/SGB/Staff Rules/2/Rev.8

United Nations

STAFF RULES

STAFF REGULATIONS OF THE UNITED NATIONS AND STAFF RULES 200.1 TO 212.7 APPLICABLE TO TECHNICAL ASSISTANCE PROJECT PERSONNEL

SECRETARY-GENERAL'S BULLETIN

New York, 1995

ST/SGB/Staff Rules/2/Rev.8
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SECRETARY-GENERAL'S BULLETIN

To: Members of the staff

Subject: STAFF RULES

1. Staff rules 200.1 through 212.7, applicable to staff members specifically recruited for service with technical cooperation projects, are hereby issued in a revised edition.

2. Articles 8, 97, 100, 101 and 105 of the Charter of the United Nations, which relate to the service of the staff, are included in the introductory part of the present revision.

3. The text of the Staff Regulations of the United Nations, which provide the authority for the issuance of these rules, is also included in this edition, with each article of the regulations preceding each chapter of the related rules.

4. The revised edition incorporates the amendments to the Staff Rules that have been published previously and corrects omissions in ST/SGB/Staff Rules/2/Rev.7/Amend.2 and ST/SGB/Staff Rules/2/Rev.7/Amend.1, as explained, respectively, in paragraphs 5 and 13 below. In addition, it introduces a number of new amendments, as explained in paragraphs 6 to 12 below.

5. Staff rule 203.8, Education grant, is amended to reflect the increases in the education grant approved in General Assembly resolution 47/216 of 23 December 1992.

6. Staff rule 203.7, Dependency allowances, is amended to clarify that documentary evidence of support is needed if the child does not reside with the parents for any reason.

7. Staff rule 203.15, Pensionable remuneration, is amended to align the rule with the corresponding provisions of the Regulations of the United Nations Joint Staff Pension Fund.

8. Staff rule 206.3, Sick leave, is amended to clarify that it is the United Nations medical officer who determines whether a contagious disease occurring in the household is of such a nature as to endanger the health of colleagues, and to give the United Nations medical officer discretion to place a staff member on certified sick leave in his/her own interests or in the interests of the Organization.

9. Staff rule 209.2, Termination, is amended to define abandonment of post.

10. Staff rules 209.5, Termination indemnity, 209.8, Conditions governing payment of repatriation grant, and 209.11, Last day for pay purposes, are amended to delete the transitional provision concerning the calculation of the relevant payments on the basis of the scale of separation payments which became obsolete as of 1 March 1992.

11. Staff rule 212.7, Effective date and authentic texts of rules, is amended to reflect the effective date of the revision.

12. Appendix I is amended as follows:

(a) To show the scale of pensionable remuneration promulgated by the Chairman of the International Civil Service Commission with effect from 1 November 1994;

(b) As a consequence of General Assembly resolution 49/223 of 23 December 1994, to show the salary scale effective 1 March 1995;

(c) To delete the scale of separation payments which became obsolete.

13. Pursuant to General Assembly resolution 45/259 of 3 May 1991, the schedules of post adjustment in appendix II are deleted and appendix III becomes appendix II. Staff rule 211.1 is amended to change the corresponding reference.

14. Unless otherwise indicated above, the effective date of all changes introduced by the present bulletin will be 1 January 1995.

Boutros BOUTROS-GHALI
Secretary-General

CHARTER OF THE UNITED NATIONS

Provisions relating to service of the staff

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any Government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

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STAFF REGULATIONS OF THE UNITED NATIONS

Scope and purpose

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the United Nations Secretariat. They represent the broad principles of personnel policy for the staffing and administration of the Secretariat. The Secretary-General, as the chief administrative officer, shall provide and enforce such staff rules consistent with these principles as he considers necessary.

STAFF RULES APPLICABLE TO TECHNICAL
ASSISTANCE PROJECT PERSONNEL

Applicability and definitions

Rule 200.1

Applicability

(a) Staff rules 200.1 to 212.7 are applicable to all project personnel appointed by the Secretary-General for service with technical assistance projects, except that:

(i) Project personnel appointed as interregional, regional and technical advisers shall be subject to staff rules 103.22 on mobility and hardship allowance, 107.21 on excess baggage and unaccompanied shipments, 107.22 on insurance and 107.27 on removal costs in lieu of rules 203.11 on mobility and hardship allowance, 207.20 on excess baggage and unaccompanied shipments and 207.21 on insurance;

(ii) Staff members appointed under staff rules 101.1 to 112.8 who are detailed to technical assistance projects for service of less than twelve months shall be subject to rules 203.9 on daily subsistence allowance and 203.12 on extension of tour of duty in addition to rules 101.1 to 112.8;

(iii) Staff members appointed under staff rules 101.1 to 112.8 who are assigned to technical assistance projects for service of twelve months or more shall be subject to rule 203.1 on salaries and related allowances in addition to rules 101.1 to 112.8.

(b) Individuals who are specifically recruited to serve with technical assistance projects in the General Service category shall be appointed under staff rules 101.1 to 112.8.

(c) Individuals who are recruited for service with a Government under the technical assistance programme for the provision of operational, executive and administrative personnel (OPEX/OPAS) shall be governed by the terms of their contracts.

(d) Individuals engaged on special service agreements for service with technical assistance projects shall be governed by the terms of their agreements.

(e) Associate experts provided by Governments to serve with project personnel under bilateral agreements between the United Nations and Governments shall be governed by the terms of such agreements and the terms of their letters of appointment.

Rule 200.2

Definitions

For the purposes of these rules:

(a) "Secretary-General" shall mean the Secretary-General of the United Nations or his authorized delegate.

(b) "Project personnel" shall mean individuals who are appointed under the Staff Regulations for service with projects in the various technical assistance programmes, except individuals specifically recruited to serve in the General Service category and individuals specifically recruited as associate experts under bilateral agreements between the United Nations and Governments.

(c) "Official duty station" shall be the place designated by the Secretary-General as the base of operations for the individual.

(d) "Mission area" shall normally be the country of assignment in which the official duty station is located; in special circumstances, the mission area may include two or more countries in the same geographic area.

(e) "A change of official duty station" takes place when an individual is transferred from one mission area to another or when there is a change in the individual's base of operation from one city to another within a mission area.

(f) (i) Project personnel appointed for less than one year shall be deemed to be in short-term status;

(ii) Project personnel appointed for one year or more or whose appointments of less than one year are extended so that the total contractual service is twelve months or more, but less than five years, shall be deemed to be in intermediate-term status;

(iii) Project personnel holding fixed-term appointments of five years or longer shall be deemed to be in long-term status. Project personnel in intermediate-term status who complete five years of service and have an appointment of at least one further year's duration shall be deemed to be in long-term status on the day following completion of five years' service.

(g) "A separation from service" shall take place when there is a resignation, or a termination of the appointment by the Secretary-General. Separation from service shall also take place on expiration of a fixed-term appointment on the due date.

Article I

DUTIES, OBLIGATIONS AND PRIVILEGES

Regulation 1.1: Members of the Secretariat are international civil servants. Their responsibilities are not national but exclusively international. By accepting appointment, they pledge themselves to discharge their functions and to regulate their conduct with the interests of the United Nations only in view.

Regulation 1.2: Staff members are subject to the authority of the Secretary-General and to assignment by him to any of the activities or offices of the United Nations. They are responsible to him in the exercise of their functions. The whole time of staff members shall be at the disposal of the Secretary-General. The Secretary-General shall establish a normal working week.

Regulation 1.3: In the performance of their duties members of the Secretariat shall neither seek nor accept instructions from any Government or from any other authority external to the Organization.

Regulation 1.4: Members of the Secretariat shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity that is incompatible with the proper discharge of their duties with the United Nations. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status, or on the integrity, independence and impartiality which are required by that status. While they are not expected to give up their national sentiments or their political and religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

Regulation 1.5: Staff members shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person any information known to them by reason of their official position which has not been made public, except in the course of their duties or by authorization of the Secretary-General. Nor shall they at any time use such information to private advantage. These obligations do not cease upon separation from the Secretariat.

Regulation 1.6: No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government excepting for war service; nor shall a staff member accept any honour, decoration, favour, gift or remuneration from any source external to the Organization, without first obtaining the approval of the Secretary-General. Approval shall be granted only in exceptional cases and where such acceptance is not incompatible with the terms of regulation 1.2 of the Staff Regulations and with the individual's status as an international civil servant.

Regulation 1.7: Staff members may exercise the right to vote but shall not engage in any political activity which is inconsistent with or might reflect upon the independence and impartiality required by their status as international civil servants.

Regulation 1.8: The immunities and privileges attached to the United Nations by virtue of Article 105 of the Charter are conferred in the interests of the Organization. These privileges and immunities furnish no excuse to the staff members who enjoy them for non-performance of their private obligations or failure to observe laws and police regulations. In any case where these privileges and immunities arise, the staff member shall immediately report to the Secretary-General, with whom alone it rests to decide whether they shall be waived.

Regulation 1.9: Members of the Secretariat shall subscribe to the following oath or declaration:

> "I solemnly swear (undertake, affirm, promise) to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the United Nations, to discharge these functions and regulate my conduct with the interests of the United Nations only in view, and not to seek or accept instructions in regard to the performance of my duties from any Government or other authority external to the Organization."

Regulation 1.10: The oath or declaration shall be made orally by the Secretary-General at a public meeting of the General Assembly. All other members of the Secretariat shall make the oath or declaration before the Secretary-General or his authorized representative.

Chapter I

DUTIES, OBLIGATIONS AND PRIVILEGES

Rule 201.1

Communication of unpublished information

Project personnel shall exercise particular discretion in issuing statements to the press, radio or other agencies of public information, releasing any visual information for publication, or taking part in mass communication activities such as film, radio or television productions which are in any way related to their project activities or to the aims, activities or interests of the United Nations.

Rule 201.2

Oath or declaration

The oath or declaration administered under regulation 1.9 shall not prevent the close collaboration of project personnel with a Government pursuant to an agreement between that Government and the United Nations.

Rule 201.3

Hours of work and official holidays

(a) Work schedules and official holidays shall be determined by the senior officer in the field with due regard to local conditions and practices and in consultation with representatives of other international organizations in the area.

(b) The number of official holidays for any duty station shall not exceed nine days per year. When one of these official holidays falls on a non-working day, the following working day shall be observed as an official holiday in lieu thereof.

(c) (Cancelled)

Rule 201.4

Non-acceptance of any honour, decoration, favour, gift or remuneration from external sources

(a) No project personnel shall accept any honour, decoration, favour, gift or remuneration from an external source without first obtaining the approval of the Secretary-General.

(b) Approval shall not be granted if the honour, decoration, favour, gift or remuneration is from a Government, excepting for decorations for war service earned before appointment.

(c) If the honour, decoration, favour, gift or remuneration is from a non-governmental source, approval shall be granted only in exceptional cases and where such acceptance is not incompatible with the terms of staff regulation 1.2 or with the individual's status as an international civil servant.

(d) The provisions of paragraphs (b) and (c) above do not preclude approval of the acceptance of:

(i) Academic awards;

(ii) Reimbursement of travel and subsistence expenses for activities otherwise authorized;

(iii) Tokens of a commemorative or honorary character, such as scrolls and trophies.

Article II

CLASSIFICATION OF POSTS AND STAFF

Regulation 2.1: In conformity with principles laid down by the General Assembly, the Secretary-General shall make appropriate provision for the classification of posts and staff according to the nature of the duties and responsibilities required.

Article III

Salaries and related allowances

Regulation 3.1: Salaries of staff members shall be fixed by the Secretary-General in accordance with the provisions of annex I to the present Regulations.

Regulation 3.2: (a) The Secretary-General shall establish terms and conditions under which an education grant shall be available to a staff member residing and serving outside his or her recognized home country whose dependent child is in full-time attendance at a school, university or similar educational institution of a type that will, in the opinion of the Secretary-General, facilitate the child's reassimilation in the staff member's recognized home country. The grant shall be payable in respect of the child up to the end of the fourth year of post-secondary studies or the award of the first recognized degree, whichever is the earlier. The amount of the grant per scholastic year for each child shall be 75 per cent of the admissible educational expenses actually incurred, subject to a maximum grant as approved by the General Assembly. Travel costs of the child may also be paid for an outward and return journey once in each scholastic year between the educational institution and the duty station, except that in the case of staff members serving at designated duty stations where schools do not exist that provide schooling in the language or in the cultural tradition desired by staff members for their children, such travel costs may be paid twice in the year in which the staff member is not entitled to home leave. Such travel shall be by a route approved by the Secretary-General but not in an amount exceeding the cost of such a journey between the home country and the duty station.

(b) The Secretary-General shall also establish terms and conditions under which, at designated duty stations, an additional amount of 100 per cent of boarding costs subject to a maximum amount per year as approved by the General Assembly may be paid in respect of children in school attendance at the primary and secondary levels.

(c) The Secretary-General shall also establish terms and conditions under which an education grant shall be available to a staff member serving in a country whose language is different from his or her own and who is obliged to pay tuition for the teaching of the mother tongue to a dependent child attending a local school in which the instruction is given in a language other than his or her own.

(d) The Secretary-General shall also establish terms and conditions under which an education grant shall be available to a staff member whose child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him or her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability. The amount of this grant per year for each disabled child shall be equal to 100 per cent of the education expenses actually incurred, up to a maximum amount approved by the General Assembly.

(e) The Secretary-General may decide in each case whether the education grant shall extend to adopted children or stepchildren.

Regulation 3.3: (a) An assessment at the rates and under the conditions specified below shall be applied to the salaries and such other emoluments of staff members as are computed on the basis of salary, excluding post adjustments, provided that the Secretary-General may, where he deems it advisable, exempt from the assessment the salaries and emoluments of staff members engaged at locality rates;

(b) (i) The assessment shall be calculated at the following rates for staff members whose salary rates are set forth in paragraphs 1 and 3 of annex I to the present Regulations:

Assessment

(In percentages)

Total assessable payments (United States dollars)	Staff assessment rates for purposes of pensionable remuneration and pensions
First $15 000 per year	4
Next $10 000 per year	20
Next $10 000 per year	25
Next $20 000 per year	29
Next $20 000 per year	32
Next $20 000 per year	35
Next $30 000 per year	37
Remaining assessable payments	39

Total assessable payments (United States dollars)	Staff assessment rates used in conjunction with gross base salaries	
	Staff member with a dependent spouse or a dependent child	Staff member with neither a dependent spouse nor a dependent child
First $15 000 per year	9.0	12.4
Next $5 000 per year	21.0	26.9
Next $5 000 per year	25.0	30.3
Next $5 000 per year	29.0	34.6
Next $5 000 per year	32.0	36.9
Next $10 000 per year	35.0	40.5
Next $10 000 per year	37.0	42.7
Next $10 000 per year	39.0	44.5
Next $10 000 per year	40.0	45.4
Next $15 000 per year	41.0	46.0
Next $20 000 per year	42.0	50.0
Remaining assessable payments	43.0	52.5

(ii) The assessment shall be calculated at the following rates for staff members whose salary rates are established under paragraph 7 of annex I to the present Regulations:

Total assessable payments (United States dollars)	Assessment (percentage)
First $2 000 per year	15
Next $2 000 per year	18
Next $2 000 per year	20
Next $2 000 per year	21
Next $4 000 per year	22
Next $4 000 per year	23
Next $4 000 per year	24
Next $6 000 per year	25
Next $6 000 per year	25.5
Next $6 000 per year	26
Next $8 000 per year	26.5
Next $8 000 per year	27
Next $8 000 per year	27.5
Next $8 000 per year	28
Remaining assessable payments	29

(iii) The Secretary-General shall determine which of the scales of assessment set out in subparagraphs (i) and (ii) above shall apply to each of the groups of personnel whose salary rates are established under paragraph 5 of annex I to the present Regulations;

(iv) In the case of staff members whose salary scales are established in currencies other than United States dollars, the relevant amounts to which the assessment applies shall be fixed at the local currency equivalent of the above-mentioned dollar amounts at the time the salary scales of the staff member concerned are approved;

(c) In the case of a person who is not employed by the United Nations for the whole of a calendar year or in cases where there is a change in the annual rate of payments made to a staff member, the rate of assessment shall be governed by the annual rate of each such payment made to him or her;

(d) The assessment computed under the foregoing provisions of the present regulation shall be collected by the United Nations by withholding it from payments. No part of the assessment so collected shall be refunded because of cessation of employment during the calendar year;

(e) Revenue derived from staff assessment not otherwise disposed of by specific resolution of the General Assembly shall be credited to the Tax Equalization Fund established by General Assembly resolution 973 A (X);

(f) Where a staff member is subject both to staff assessment under this plan and to national income taxation in respect of the salaries and emoluments paid to him or her by the United Nations, the Secretary-General is authorized to refund to him or her the amount of staff assessment collected from him or her provided that:

(i) The amount of such refund shall in no case exceed the amount of his or her income taxes paid and payable in respect of his or her United Nations income;

(ii) If the amount of such income taxes exceeds the amount of staff assessment, the Secretary-General may also pay to the staff member the amount of such excess;

(iii) Payments made in accordance with the provisions of the present regulation shall be charged to the Tax Equalization Fund;

(iv) A payment under the conditions prescribed in the three preceding subparagraphs is authorized in respect of dependency benefits and post adjustments, which are not subject to staff assessment but may be subject to national income taxation.

Regulation 3.4: (a) Staff members whose salary rates are set forth in paragraphs 1 and 3 of annex I to the present Regulations shall be entitled to receive dependency allowances for a dependent child, for a disabled child and for a secondary dependent at rates approved by the General Assembly as follows:

(i) The staff member shall receive an allowance for each dependent child, except that the allowance shall not be paid in respect of the first dependent child if the staff member has no dependent spouse, in which case the staff member shall be entitled to the dependency rate of staff assessment under subparagraph (b) (i) of regulation 3.3;

(ii) The staff member shall receive a special allowance for each disabled child. However, if the staff member has no dependent spouse and is entitled to the dependency rate of staff assessment under subparagraph (b) (i) of regulation 3.3 in respect of a disabled child, the allowance shall be the same as the allowance for a dependent child in (i) above;

(iii) Where there is no dependent spouse, a single annual allowance shall be paid for a secondary dependent in respect of either a dependent parent, a dependent brother or a dependent sister;

(b) If both husband and wife are staff members, one may claim, for dependent children, under subparagraph (a) (i) and (ii) above, in which case the other may claim only under subparagraph (a) (iii) above, if otherwise entitled;

(c) With a view to avoiding duplication of benefits and in order to achieve equality between staff members who receive dependency benefits under applicable laws in the form of governmental grants and staff members who do not receive such dependency benefits, the Secretary-General shall prescribe conditions under which the dependency allowance for a child specified in subparagraph (a) (i) above shall be payable only to the extent that the dependency benefits enjoyed by the staff member or his or her spouse under applicable laws amount to less than such a dependency allowance;

(d) Staff members whose salary rates are set by the Secretary-General under paragraph 5 or paragraph 6 of annex I to the present Regulations shall be entitled to receive dependency allowances at rates and under conditions determined by the Secretary-General, due regard being given to the circumstances in the locality in which the office is located;

(e) Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Secretary-General. A separate claim for dependency allowances shall be made each year.

Chapter III

SALARIES AND RELATED ALLOWANCES

Rule 203.1

Salaries and related allowances

(a) Salaries of project personnel shall be fixed by the Secretary-General in accordance with the salary scales set out in appendix I to the present rules.

(b) Project personnel who are loaned to the United Nations on a reimbursable or non-reimbursable basis and who are not paid a salary directly by the United Nations may be given a monthly honorarium up to the equivalent of the monthly gross salary of the lowest level and step of project personnel specified in appendix I, subject to staff assessment under rule 203.4.

(c) Project personnel shall not be entitled to compensation for overtime work.

Rule 203.2

Salary increments

Upon completion of one year's continuous satisfactory service at the same salary rate, the salaries of project personnel in intermediate-term or long-term status whose appointments will continue for at least one month beyond this period shall be increased by a one-step salary increment, provided that the period of satisfactory service required for increments above step IV of level 6 shall be two years. The amount of salary increment for each level shall be in accordance with the schedule contained in rule 203.1.

Rule 203.3

Currency of salary payments

(a) The salary and allowances of project personnel under the present rules shall be paid in the currency specified by the Secretary-General.

(b) A portion of the salary and dependency allowances of project personnel in intermediate-term or long-term status shall normally be paid in the currency of the country of the duty station and the remainder in one other currency.

(c) The rates of exchange for the conversion of currencies shall be those established by the Secretary-General and applicable on the date of payment.

Rule 203.4

Staff assessment plan

(a) Salaries and emoluments of project personnel shall be subject to the Staff Assessment Plan under the conditions specified in staff regulation 3.3 and this rule.

(b) The rates of staff assessment for project personnel shall be those set forth in staff regulation 3.3 (b) (i), except that project personnel in short-term status shall be governed only by the rates applicable to staff without dependants.

(c) The dependency rates of staff assessment under staff regulation 3.3 (b) (i) shall apply to project personnel in intermediate-term or long-term status when:

(i) The individual's spouse is recognized as a dependant under rule 203.7; or

(ii) The individual provides substantial and continuing support to one or more of his or her children.

(d) Where the salaries of both husband and wife are subject to the staff assessment rates set forth in staff regulation 3.3 (b) (i), and taking into account rule 204.7, staff assessment shall apply to each at the single rate. If they have a dependent child or children, the dependency rate shall apply to the spouse having the higher salary level and the single rate to the other spouse.

Rule 203.5

Post adjustment

(a) (i) Post adjustments under paragraph 9 of annex I to the Staff Regulations shall be applied in accordance with subparagraph (ii) below in the case of project personnel assigned to a duty station for one year or more, or in accordance with rule 203.9 (d). Post adjustments shall not be applied to salaries of project personnel in short-term status.

(ii) The amount of post adjustment for each level and step of project personnel shall be determined for each duty station by applying the multiplier of the post adjustment classification for the duty station to 1 per cent of the corresponding net base salary rates.

(b) Post adjustments which are additions to salary shall be paid in accordance with the arrangements established with regard to currency of payment of salaries and allowances of internationally recruited staff, as approved by the Secretary-General.

(c) (Cancelled)

(d) Project personnel who are entitled to salary at the dependency rate shall be paid post adjustment on the basis of such salary regardless of where the dependants reside.

(e) At duty stations where the average rental cost used in calculating the post adjustment index is based on the cost of housing provided by the United Nations, by the Government or by a related institution, project personnel who have to rent housing accommodation at substantially higher commercial rates will be paid a supplement to the post adjustment in the form of a rental subsidy under conditions established by the Secretary-General. When project personnel are provided with housing free of charge or at rents lower than the average rental cost used in calculating the post adjustment index for the duty station, a deduction will be made from their monthly salaries under conditions established by the Secretary-General.

(f) Where both husband and wife are employed by the United Nations, and taking into account rule 204.7, post adjustment shall be paid to each at the single rate unless they have a dependent child or children. In that case, the dependency rate of post adjustment shall be paid to the spouse having the higher salary level and the single rate of post adjustment to the other spouse.

Rule 203.6

Salaries and emoluments subject to staff assessment

For the purpose of rule 203.4, "salaries and emoluments" subject to staff assessment shall mean:

(i) Salary or honorarium under rule 203.1;

(ii) Payments upon separation, including termination indemnity, payment for accrued annual leave and repatriation grant;

(iii) Compensation equivalent to salary and allowances under rule 206.5.

Rule 203.7

Dependency allowances

(a) Project personnel in intermediate-term or in long-term status shall be entitled to receive dependency allowances at the rates provided in staff regulation 3.4 (a) (i) and (ii).

(b) For the purpose of the Staff Regulations and Staff Rules:

(i) A dependent spouse shall be a spouse whose occupational earnings, if any, do not exceed the lowest entry level of the United Nations General Services gross salary scales in force on 1 January of the year concerned for the duty station in the country of the spouse's place of work, provided that the amount shall not at any duty station be less than the equivalent of the lowest entry level at the base of the salary system (G-2, step I, for New York);

(ii) A "dependent child" shall be an individual's natural or legally adopted child, or an individual's step-child, if residing with the individual, under the age of eighteen years or, if the child is in full-time attendance at a school or university (or similar educational institution), under the age of twenty-one years, for whom the individual provides main and continuing support. The Secretary-General shall establish special conditions under which other children, who fulfil the age, school attendance and support requirements indicated above, may be regarded as dependent children of an individual. If a child over the age of eighteen years is physically or mentally incapacitated for substantial gainful employment either permanently or for a period expected to be of long duration, the requirements as to school attendance and age shall be waived. An individual claiming a child as a dependant must certify that he or she provides main and continuing support. This certificate must be supported by documentary evidence satisfactory to the Secretary-General if a child:

a. Does not reside with the individual;

b. Is married; or

c. Is regarded as a dependant under the special conditions referred to above;

(iii) Subject to the provisions of staff regulation 3.4 (a) (i), the full amount of the dependency allowance provided under that regulation in respect of a dependent child shall be payable, except where the individual or his or her spouse receives a direct governmental grant in respect of the same child. Where such a governmental grant is made, the dependency allowance payable under this rule shall be the amount by which the governmental grant is less than the rate of the allowance set out in staff regulation 3.4 (a) (i);

(iv) A secondary dependant shall be the father, mother, brother or sister of whose financial support the individual provides one half or more, and in any case at least twice the amount of the dependency allowance, provided that the brother or sister fulfils the same age and school attendance requirements established for a dependent child. If the brother or sister is physically or mentally incapacitated for substantial gainful employment either permanently or for a period expected to be of long duration, the requirements as to school attendance and age shall be waived;

(v) A dependency allowance shall be paid in respect of not more than one dependent parent, brother or sister; such payment shall not be made when dependency benefit is being paid for a spouse.

(c) Payment of dependency allowance shall be made only in respect of the period during which the circumstances giving rise to the claim obtain.

(d) Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Secretary-General. A separate claim for dependency allowances shall be made each year.

Rule 203.8

Education grant

Definitions

(a) For the purposes of this rule:

(i) "Child" means a child of an individual who is dependent upon that individual for main and continuing support. "Disabled child" means a child who is unable, by reasons of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him or her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability;

(ii) "Home country" means the country of home leave of project personnel under rule 205.2;

(iii) "Duty station" means the country, or area within commuting distance notwithstanding national boundaries, where the project personnel are serving.

Eligibility

(b) Project personnel in intermediate-term or long-term status, whose duty station is outside the home country, shall be entitled to an education grant in respect of each child in full-time attendance at a school, university or similar educational institution. If such project personnel are reassigned to a duty station within their home country, they may receive the education grant for the balance of a school year, not exceeding one full school year after their return from expatriate service. The grant shall not, however, be payable in respect of:

(i) Attendance at a kindergarten or nursery school at the pre-primary level;

(ii) Attendance at a free school or one charging only nominal fees at the duty station;

(iii) (Cancelled)

(iv) Correspondence courses, except those which in the opinion of the Secretary-General are the best available substitute for full-time attendance at a school of a type not available at the duty station;

(v) Private tuition, except tuition in a language of the home country at duty stations where satisfactory school facilities for learning that language are not available;

(vi) Vocational training or apprenticeship which does not involve full-time schooling or is of a kind under which the child receives a payment for services rendered.

(c) (i) The grant shall be payable up to the end of the school year in which the child completes four years of post-secondary studies or is awarded the first recognized degree, whichever is the earlier;

(ii) The grant will not normally be payable beyond the school year in which the child reaches the age of twenty-five years. If the child's education is interrupted for at least one school year by national service, illness or other compelling reasons, the period of eligibility shall be extended by the period of interruption.

Amount of the grant

(d) In the case of attendance at an educational institution outside the duty station, the amount of the grant shall be:

(i) Where the institution provides board for the child, 75 per cent of the allowable costs of attendance and of the cost of board up to $13,000 a year, with a maximum grant of $9,750 a year;

(ii) Where the institution does not provide board, $2,900 plus 75 per cent of the allowable costs of attendance up to $9,133 a year, with a maximum grant of $9,750 a year.

However, in the case of project personnel serving at designated duty stations, 100 per cent of boarding costs up to $3,000 a year may be reimbursed in respect of attendance at the primary or secondary levels, as an amount additional to the maximum grant of $9,750 a year.

(e) In the case of attendance at an educational institution at the duty station:

(i) The amount of the grant shall be 75 per cent of the cost of attendance up to $13,000 a year, with a maximum grant of $9,750 a year;

(ii) Where such an educational institution is located beyond commuting distance from the area where the staff member is serving and, in the opinion of the Secretary-General, no school in that area would be suitable for the child, the amount of the grant shall be calculated at the same rates as specified in paragraph (d) above.

(f) Where attendance is for less than two thirds of the scholastic year, the amount of the grant for that year shall be that proportion of the grant otherwise payable which the period of attendance bears to the full scholastic year.

(g) Where the period of service does not cover the full scholastic year, the amount of the grant for that year shall normally be that proportion of the grant otherwise payable which the period of service bears to the full scholastic year.

Tuition of the mother tongue

(h) The Secretary-General will decide in each case whether the education grant shall be paid for tuition of the mother tongue under the second paragraph of regulation 3.2 (c).

Claims

(i) Claims for education grant shall be submitted in writing and supported by evidence satisfactory to the Secretary-General. Payment under this rule shall normally be made in the actual currency of expenditure.

Establishment of the grant in local currency

(j) When the educational expenses are incurred in countries especially designated by the Secretary-General, the amounts set out in paragraphs (d) and (e) above shall be established in local currency.

Special education grant for disabled children

(k) A special education grant for disabled children shall be available to project personnel, regardless of whether or not they are serving in their home country, provided that they have an appointment of one year or longer or have completed one year of continuous service.

(l) The amount of the grant shall be 100 per cent of the educational expenses actually incurred up to a maximum grant of $13,000 a year. If the disabled child is eligible for the regular education grant, the total amount payable under the two types of grant shall not exceed $13,000 a year. "Educational expenses" reimbursable under the special education grant shall comprise the expenses incurred to provide an educational programme designed to meet the needs of the disabled child in order that he or she may attain the highest possible level of functional ability.

(m) The grant shall be computed on the basis of the calendar year, if the child is unable to attend a normal educational institution, or on the basis of the school year, if the child is in full-time attendance at a normal educational institution while receiving special teaching or training. The grant shall be payable in respect of any disabled child from the date on which the special teaching or training is required up to the end of the school year or the calendar year, as appropriate, in which the child reaches the age of twenty-five years. In exceptional cases, the age limit may be extended up to the end of the school year or the calendar year, as appropriate, in which the child reaches the age of twenty-eight years.

(n) Where the period of service does not cover the full school year or calendar year, the amount of the grant shall be that proportion of the annual grant which the period of service bears to the full school or calendar year.

(o) Claims for the grant shall be submitted annually in writing and supported by medical evidence, satisfactory to the Secretary-General, regarding the child's disability. Project personnel shall also be required to provide evidence that they have exhausted all other sources of benefits that may be available for the education and training of the child. The amount of

educational expenses used as the basis for the calculation of the special education grant shall be reduced by the amount of any benefits so received or receivable by project personnel.

(p) The provision contained in paragraph (j) above shall also apply to the computation and payment of the special education grant for disabled children.

Rule 203.9

Daily subsistence allowance

(a) Except for those who normally reside in the mission area, project personnel in short-term status shall receive, during the period of their service in the mission area, a subsistence allowance at such daily rates as are approved from time to time by the Secretary-General. The allowance shall be payable in local currency.

(b) The daily subsistence allowance shall normally be computed on the basis of the average cost for a reasonable standard of board and lodging plus an amount to cover incidental expenses such as service charges, gratuities and laundry. The daily subsistence allowance shall normally be based on costs in the capital city and the same rate shall apply throughout the country, provided that, where there exists a significant disparity in costs as between the capital city and other parts of the country, separate rates may be established for areas outside the capital city.

(c) The daily subsistence allowance for a period of stay in one place within a country may be fixed at a lower rate after sixty days and further reduced after one hundred and twenty days, consecutive or otherwise.

(d) When project personnel in intermediate or long-term status are to serve at a duty station for less than one year, the Secretary-General shall decide whether to pay a daily subsistence allowance for the duration of such a tour of duty, or pay assignment grant under rule 203.10, the hardship and non-removal elements of the mobility and hardship allowance under rule 203.11 and the post adjustment under rule 203.5.

(e) Daily subsistence allowances under this rule shall continue to be paid during periods of authorized sick leave except that if project personnel are hospitalized, only one third of the relevant daily rate shall be paid.

(f) When lodging is provided by a Government or by the United Nations free of charge, the standard rate of the daily subsistence allowance shall be reduced by 50 per cent. If meals are provided free of charge, the rate shall be reduced by 30 per cent. If both lodging and meals are provided, the rate shall be reduced by 80 per cent. The reduction for free lodging shall apply irrespective of the type of lodging provided.

Rule 203.10

Installation

(Cancelled)

Rule 203.10

Assignment grant

(a) Except for special mission service, project personnel who travel at United Nations expense to a duty station for an assignment expected to be of at least one year's duration shall be paid an assignment grant, subject to the conditions set forth below.

(b) The amount of the assignment grant shall be equivalent to:

(i) Thirty days of subsistence allowance at the daily rate applicable under rule 203.9 (a) above;

(ii) Thirty days of subsistence allowance at half such daily rate in respect of each family member for whom travel expenses have been paid by the United Nations under rule 207.2 (a) (i).

The above-mentioned amounts shall be calculated on the basis of the rate prevailing on the date of arrival at the duty station of the individual or of his or her family member.

(c) Under conditions established by the Secretary-General, the limit of thirty days provided in paragraph (b) above may be extended to a maximum of ninety days. The amount of the grant during the extended period shall be up to 60 per cent of the appropriate prevailing rate.

(d) In addition to any amount of grant paid under paragraph (b) above, a lump sum calculated on the basis of the project personnel's net base salary and, where appropriate, post adjustment at the duty station of assignment may be paid under conditions established by the Secretary-General. The lump sum shall be payable at the following rates:

(i) At headquarters duty stations and other designated duty stations, a lump sum equivalent to one month's net base salary and, where appropriate, post adjustment, provided the individual is not entitled to removal costs under staff rule 200.1 (a);

(ii) At all other duty stations:

a. Where the individual is entitled to removal costs under rule 200.1 (a), one month's net base salary and, where appropriate, post adjustment;

b. Where the individual is not entitled to removal costs, one month's net base salary and, where appropriate, post adjustment if the assignment is for less than three years, and two months' net base salary and, where approriate, post adjustment if the assignment is for three years or more.

If an assignment for less than three years is extended to three years or more, the staff member shall be paid at that time a second one-month lump sum.

(e) If a change of official duty station or a new appointment involves a return to a place at which the individual was previously stationed, the full amount of the assignment grant shall not be payable unless the individual has been absent from the place for at least one year. In the case of a shorter absence, the amount payable shall normally be that proportion of the full grant which the completed months of absence bear to one year.

(f) Where both husband and wife are employed by the United Nations and travel at United Nations expense to a duty station, and taking into account rule 204.7, the assignment grant shall be paid to each in respect of himself or herself. If they have a dependent child or children, the assignment grant in respect of such child or children shall be paid to the project personnel on whom each child is recognized to be dependent.

(g) If both husband and wife would otherwise qualify for the lump sum portion of the grant, such lump sum shall only be paid to the spouse whose lump sum portion yields the higher amount.

(h) In cases where project personnel have not completed the period of service in respect of which the assignment grant has been paid, the grant shall be adjusted proportionately and recovery made under conditions established by the Secretary-General who, in exceptional circumstances, may decide to waive recovery.

(i) The Secretary-General may, in appropriate cases, authorize payment of all or part of the assignment grant where the United Nations has not been required to pay travel expenses upon the appointment of project personnel.

Rule 203.11

Assignment allowance

(Cancelled)

Rule 203.11

Mobility and hardship allowance

(a) For the purpose of this rule, "assignment" means the initial appointment of project personnel or any subsequent movement to a new duty station for a period of one year or more.

(b) As an incentive to mobility and to compensate for hardship and non-removal of personal effects and household goods, a non-pensionable allowance composed of three elements - mobility, hardship and non-removal of personal effects and household goods - shall be payable to project personnel upon arrival at the new duty station subject to the conditions set out in paragraphs (c), (d) and (e) below.

(c) The mobility element of the allowance shall be payable provided that:

(i) The individual has served in the United Nations common system for a period of five consecutive years;

(ii) The individual is assigned to a second or subsequent duty station. However, in the case of service at headquarters duty stations or other designated duty stations, three previous assignments will be required, of which at least two should have been at duty stations classified at hardship levels established by the Secretary-General;

(iii) The assignment involves payment of the assignment grant.

The mobility element of the allowance shall become payable upon arrival at the new duty station and shall be discontinued or reduced under terms and conditions established by the Secretary-General.

(d) The hardship element of the allowance shall be payable to project personnel who are assigned to duty stations classified at hardship levels established by the Secretary-General. This element shall be payable for the duration of the individual's assignment according to the hardship classification of the duty station.

(e) (i) Except as provided in subparagraph (ii) below, the non-removal element shall be payable to project personnel, provided that an entitlement to assignment grant exists;

(ii) Project personnel listed in rule 200.1 (a) who have an entitlement to removal costs under rule 107.27 shall not be entitled to the non-removal element.

(f) For project personnel at the L-4 and L-5 levels entitled to the dependency rate, the amount of the mobility and hardship allowance shall be determined by applying to the base salary at the dependency rate for the L-4 level, step VI, the percentages in a matrix established by the Secretary-General. For staff at the L-1 to L-3 levels entitled to the dependency rate, such amount shall be reduced by 13 per cent; for staff at the L-6 and L-7 levels entitled to the dependency rate, such amount shall be increased by 13 per cent. The amounts payable at the single rate shall be 75 per cent of the amounts payable at the dependency rate.

Rule 203.12

Extension of tour of duty

When project personnel are assigned to a duty station for tours of duty of less than one year and are paid a daily subsistence allowance under rule 203.9, and their assignments are subsequently extended so that their total anticipated service will be one year or more at that duty station, the Secretary-General shall decide whether to continue to pay, for the balance of the tour of duty, the daily subsistence allowance, or to pay assignment grant under rule 203.10, mobility and hardship allowance under rule 203.11 and the post adjustment under rule 203.5.

Rule 203.13

Deductions and contributions

(a) There shall be deducted from the total payments due to project personnel:

(i) Staff assessment, at the rates and subject to the conditions prescribed in staff regulation 3.3 and rule 203.4;

(ii) Contributions to the United Nations Joint Staff Pension Fund, if the individual is a participant under rule 206.1.

(b) Deductions from salaries and other emoluments may also be made for:

(i) Other contributions for which provision is made under these rules;

(ii) Indebtedness to the United Nations;

(iii) Indebtedness to third parties when any deduction for this purpose is authorized by the Secretary-General;

(iv) Lodging provided by the United Nations, by a Government or by a related institution.

Rule 203.14

Salary advances

(a) Salary advances may be made to staff members under the following circumstances:

(i) When they are initially appointed, in the amount of the salary due for their first month of service under rule 203.1 after deduction of staff assessment under rule 203.4;

(ii) When through no fault of their own, they do not receive their regular monthly payment, in the amount due;

(iii) Upon separation pending final settlement of pay accounts and subject to the advance not exceeding 80 per cent of the estimated final net payment due;

(iv) When they are assigned to a new duty station, in such amount as, in the opinion of the Secretary-General, is appropriate;

(v) Upon departure for extended official travel or for approved leave involving absence from duty for more than one month in the amount that would fall due for payment during the anticipated period of absence.

(b) Salary advances may be made to project personnel in appropriate amounts for other reasons when, in the opinion of the Secretary-General, there are exceptional and compelling reasons for making an advance. Requests for such advances shall be supported by a detailed justification in writing.

(c) Outstanding salary advances shall be recovered from project personnel in instalments determined by the Secretary-General in consecutive pay periods commencing not later than the period following that in which the advance is made.

Rule 203.15

Pensionable remuneration

(a) The pensionable remuneration of project personnel shall be in accordance with articles 1 (p) and 54 of the Regulations of the United Nations Joint Staff Pension Fund.

(b) (Cancelled)

Article IV

Appointment and promotion

Regulation 4.1: As stated in Article 101 of the Charter, the power of appointment of staff members rests with the Secretary-General. Upon appointment, each staff member, including a staff member on secondment from government service, shall receive a letter of appointment in accordance with the provisions of annex II to the present Regulations and signed by the Secretary-General or by an official in the name of the Secretary-General.

Regulation 4.2: The paramount consideration in the appointment, transfer or promotion of the staff shall be the necessity for securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

Regulation 4.3: In accordance with the principles of the Charter, selection of staff members shall be made without distinction as to race, sex or religion. So far as practicable, selection shall be made on a competitive basis.

Regulation 4.4: Subject to the provisions of Article 101, paragraph 3, of the Charter, and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be had, in filling vacancies, to the requisite qualifications and experience of persons already in the service of the United Nations. This consideration shall also apply, on a reciprocal basis, to the specialized agencies brought into relationship with the United Nations.

Regulation 4.5: (a) Appointment of Under-Secretaries-General and of Assistant Secretaries-General shall normally be for a period of five years, subject to prolongation or renewal. Other staff members shall be granted either permanent or temporary appointments under such terms and conditions consistent with the present Regulations as the Secretary-General may prescribe;

(b) The Secretary-General shall prescribe which staff members are eligible for permanent appointments. The probationary period for granting or confirming a permanent appointment shall normally not exceed two years, provided that in individual cases the Secretary-General may extend the probationary period for not more than one additional year.

Regulation 4.6: The Secretary-General shall establish appropriate medical standards that staff members shall be required to meet before appointment.

Chapter IV

APPOINTMENT

Rule 204.1

Letter of appointment

The letter of appointment granted to project personnel shall contain expressly or by reference the terms and conditions of employment.

Rule 204.2

Effective date of appointment

The appointment of project personnel shall take effect from the date on which they enter into official travel status to assume their duties or, if no official travel is involved, from the date on which they enter upon their duties.

Rule 204.3

Types of appointment

Project personnel shall be granted temporary appointments as follows:

(a) Temporary appointments shall be for a fixed term and shall expire without notice on the date specified in the respective letters of appointment. They may be for service in one or more mission areas, and may be for short, intermediate or long term, as defined in rule 200.2 (f).

(b) Project personnel who are initially granted appointments for less than one year but whose appointments are subsequently extended so that the total continuous contractual service is one year or more but less than five years shall be considered to be in intermediate-term status with effect from the date from which their appointment is extended or converted to intermediate-term status.

(c) Project personnel in intermediate-term status who complete five years' continuous service and whose appointments are extended for at least one further year shall be considered to be in long-term status with effect from the date on which they complete five years' continuous service.

(d) A temporary appointment does not carry any expectancy of renewal.

Rule 204.4

Notification by project personnel and obligation to supply information

On appointment, project personnel shall be responsible for supplying the Secretary-General with any information that may be required for the purpose of determining their status under these rules and for completing administrative arrangements in connection with their appointments. Specifically, this requirement shall include information on nationality. passport and visa, marital status, dependency status, information relevant to home leave, and designation of beneficiary. They shall be responsible also for promptly notifying the Secretary-General, in writing, of any subsequent changes affecting their status under these rules.

Rule 204.5

Nationality

(a) In the application of these rules, the United Nations shall not recognize more than one nationality for project personnel.

(b) When project personnel have been legally accorded nationality status by more than one State, nationality for the purpose of these rules shall be the nationality of the State with which, in the opinion of the Secretary-General, the individual is most closely associated.

Rule 204.6

Medical examination

(a) Project personnel shall undergo a medical examination prior to appointment. The examination shall be made by a United Nations medical officer or, if no such officer has been designated, by another qualified member of the medical profession. A report on the examination shall be submitted to and approved by the United Nations Medical Director before the individual leaves the home country and shall include an opinion on his fitness for living, working and travelling under the conditions in the country to which he or she is assigned for duty.

(b) Project personnel may be required to undergo periodic medical examinations. They shall undergo a medical examination on separation from service, and the report on this last examination shall be submitted to the United Nations Medical Director for review.

Rule 204.7

Effect of marriage on contractual status and entitlements

Where both husband and wife are employed by the United Nations, their contractual status shall not be affected by their marriage, but their entitlements and other benefits shall be modified as provided in the relevant Staff Regulations and Rules. However, if the spouses maintain separate households because they are assigned to different duty stations, the Secretary-General may decide to maintain such separate entitlements and benefits, provided that this is not inconsistent with any staff regulation or other decision of the General Assembly. The same modifications shall apply in the case of an individual whose spouse is employed by another organization participating in the United Nations common system.

Article V

ANNUAL AND SPECIAL LEAVE

Regulation 5.1: Staff members shall be allowed appropriate annual leave.

Regulation 5.2: Special leave may be authorized by the Secretary-General in exceptional cases.

Regulation 5.3: Eligible staff members shall be granted home leave once in every two years. However, in the case of designated duty stations having very difficult conditions of life and work, eligible staff members shall be granted home leave once in every twelve months. A staff member whose home country is either the country of his or her official duty station or the country of his or her normal residence while in United Nations service, shall not be eligible for home leave.

Chapter V

ANNUAL AND SPECIAL LEAVE

Rule 205.1

Annual leave

(a) Project personnel who are granted appointments of six months or more, or who have completed six months' continuous service, shall accrue annual leave while in full pay status at the rate of six weeks for each year of continuous service. No leave shall accrue while an individual is receiving compensation equivalent to salary and allowances under rule 206.5. Official holidays as under rule 201.3 shall be excluded for the purpose of computing annual leave.

(b) Annual leave may be taken in units of days or half-days, subject to the exigencies of service. Project personnel shall be required to submit a monthly report of leave so taken; a "NIL" report shall be submitted where no leave has been taken during the month.

(c) Project personnel in continuous employment may carry over up to six weeks of annual leave from the first year to the second counted as of the anniversary date of their initial appointment; a maximum of nine weeks accrued annual leave may be carried over from the second to the third year of service; thereafter, a maximum of twelve weeks of accrued annual leave may be carried over from one year to the next.

(d) Leave may be taken only when authorized. If an individual is absent from work without authorization, payment of salary and allowances shall cease for the period of unauthorized absence. However, if, in the opinion of the Secretary-General, the absence was caused by reasons beyond the individual's control, and the individual has accrued annual leave, the absence will be charged to that leave.

(e) In exceptional circumstances, and subject to the provisions of rule 209.10, the Secretary-General may authorize advance annual leave up to a maximum of two weeks for an individual, provided his or her service is expected to continue for a period beyond the date necessary for him or her to accrue that amount of leave.

Rule 205.2

Home leave

(See also rule 207.11 for travel on home leave)

(a) Subject to the conditions in staff regulation 5.3 and rule 207.11 and such others as may be prescribed by the Secretary-General from time to time, project personnel in intermediate- or long-term status who are serving outside the home country and their eligible family members who are in the mission area shall be allowed to visit the home country at the expense of the Organization once every two years.

(b) Except for allowable travel time, the period of such leave will be charged to annual leave.

(c) The country of home leave shall be the country of the project personnel's nationality, subject to the following terms, conditions and exceptions:

(i) The place of home leave of the individual within his or her home country shall be, for purposes of travel and transportation entitlements, the place with which he or she had the closest residential ties during the period of his or her most recent residence in his or her home country preceding appointment. In exceptional circumstances, a change in the place in the country of home leave may be authorized, under conditions established by the Secretary-General;

(ii) An individual who has served with another public international organization immediately preceding his or her appointment shall have the place of his or her home leave determined as though his or her entire previous service with the other international organization had been with the United Nations;

(iii) The Secretary-General, in exceptional and compelling circumstances, may authorize:

a. A country other than the country of nationality as the home country, for the purposes of this rule. An individual requesting such authorization will be required to satisfy the Secretary-General that he or she maintained his or her normal residence in such other country for a prolonged period preceding his or her appointment, that the individual continues to have close family or personal ties in that country and that his or her taking home leave there would not be inconsistent with the purposes and intent of staff regulation 5.3.

b. Travel in a particular home leave year to a country other than the home country, subject to conditions established by the Secretary-General. In such a case, the travel expenses borne by the United Nations shall not exceed the cost of travel to the home country.

(d) If both husband and wife are employed by the United Nations and are eligible for home leave, and taking into account rule 204.7, each individual shall have the choice either of exercising his or her own home leave entitlement or of accompanying the spouse. An individual who chooses to accompany his or her spouse shall be granted travel time appropriate to the travel involved. Dependent children whose parents are staff members, each of whom is entitled to home leave, may accompany either parent. The frequency of travel shall not exceed the established periodicity of the home leave both with regard to project personnel and to their dependent children, if any.

(e) Under the terms and conditions established by the Secretary-General, project personnel serving at designated duty stations having very difficult conditions of life and work shall be granted home leave once every twelve months.

Rule 205.3

Special leave

(a) (i) Project personnel may be granted special leave in cases of extended illness, for child care or for other important reasons for such period as, in the opinion of the Secretary-General, is appropriate. In exceptional cases, the Secretary-General may, at his initiative, place an individual on special leave with full pay if he considers such leave to be in the interest of the Organisation;

(ii) Special leave is normally without pay. In exceptional circumstances, special leave with full or partial pay may be granted;

(iii) In case of adoption of a child, special leave with full pay may be granted under the conditions and for the period established by the Secretary-General;

(iv) Special leave shall not be authorised for governmental service in a political office, in a diplomatic or other representational post or for the purpose of performing any functions that are incompatible with the individual's continuing status as an international civil servant. In exceptional circumstances, special leave without pay may be granted to an individual who is requested by his or her Government to render temporary services involving functions of a technical nature.

(b) Project personnel shall not accrue service credit towards any entitlement under these rules during full months of special leave with partial pay or without pay. Periods of less than one full month of such leave shall not affect the ordinary rates of accrual of such entitlements.

(c) The continuity of service of project personnel shall not be considered broken by periods of special leave.

Article VI

SOCIAL SECURITY

Regulation 6.1: Provision shall be made for the participation of staff members in the United Nations Joint Staff Pension Fund in accordance with the regulations of that Fund.

Regulation 6.2: The Secretary-General shall establish a scheme of social security for the staff, including provisions for health protection, sick leave and maternity leave, and reasonable compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the United Nations.

Chapter VI

SOCIAL SECURITY

Rule 206.1

Participation in the Pension Fund

Project personnel whose appointments are for six months or longer, or who complete six months of service under shorter appointments without an interruption of more than thirty days, shall become participants in the United Nations Joint Staff Pension Fund, provided that participation is not excluded by their letters of appointment.

Rule 206.2

Group life insurance plan

Project personnel shall participate in the group life insurance plan for project personnel, unless exemption from such participation is expressly stated in the letter of appointment.

Rule 206.3

Sick leave

(a) Project personnel who are unable to perform their duties by reason of illness or injury, or whose attendance at work is prevented by public health requirements, may be granted sick leave in accordance with the following provisions:

(i) Project personnel in short-term status may be granted sick leave on full salary at the rate of two days a month of service;

(ii) Project personnel in intermediate-term status may be granted sick leave up to three months on full salary and up to three months on half salary in any period of twelve consecutive months, provided that the amount of sick leave permitted in any four consecutive years shall not exceed eighteen months, nine months on full salary and nine months on half salary;

(iii) Project personnel in long-term status may be granted sick leave up to nine months on full salary and nine months on half salary in any period of four consecutive years;

(iv) Project personnel shall submit a monthly report on any absences due to illness, injury or public health requirements. Where the absence is for three consecutive working days or longer, it shall be supported by a certificate from a qualified member of the medical profession or be treated as an unauthorized absence in accordance with rule 205.1 (d). The certificate shall indicate the nature

the illness or injury and shall state that the individual was unable to perform his duties during the period. Where the absence was due to public-health requirements, the certificate shall indicate that public health restrictions prevented the individual's attendance at work;

(v) Project personnel shall immediately notify a United Nations medical officer of any case of contagious disease occurring in his or her household or of any quarantine order affecting the household. In such a case or in the case of any other condition which may affect the health of others or which, in the opinion of the United Nations medical officer, impairs the individual's ability to fulfil his or her functions, the individual may be directed not to attend the office. He or she shall receive full salary and other emoluments for the period of authorized absence.

(b) Project personnel may be required at any time to submit a medical certificate as to their condition. Sick leave may be refused if the Secretary-General is satisfied that such leave is not justified; in such cases, the period shall be treated as an unauthorized absence in accordance with rule 205.1 (d).

(c) Project personnel, while on sick leave, shall not leave the area of the duty station without the prior approval of the Secretary-General.

(d) (Cancelled)

Rule 206.4

Medical care

(a) Project personnel shall participate in a medical insurance scheme provided by the United Nations unless exemption from such participation is expressly stated in the letter of appointment. The United Nations shall not be responsible for the medical care of project personnel who are exempted by their letter of appointment from the medical insurance scheme provided by the United Nations except in accordance with the provisions of staff rule 206.5 on compensation of death, injury or illness attributable to service.

(b) Project personnel appointed for a period of one month or more and participating in a medical insurance scheme provided by the United Nations may enrol their spouses and dependent children in the scheme.

(c) Subject to conditions laid down by the Secretary-General, project personnel participating in a medical insurance scheme provided by the United Nations may be reimbursed medical expenses which are not covered in full by their medical insurance scheme. Such reimbursement will not be made for medical expenses of dependants.

(d) The United Nations will not assume responsibility for medical expenses incurred by project personnel following separation from service except in accordance with the provisions of staff rule 206.5 on compensation for death, injury or illness attributable to service.

Rule 206.5

Compensation for death, injury or illness attributable to service

Project personnel shall be entitled to compensation in the event of death, injury or illness attributable to the performance of official duties on behalf of the United Nations, in accordance with the rules set forth in appendix D to the Staff Rules (ST/SGB/Staff Rules/Appendix D/Rev.1, January 1966).

Rule 206.6

Compensation for loss or damage to personal effects attributable to service

Project personnel shall be entitled, within the limits and under the terms and conditions established by the Secretary-General, to reasonable compensation in the event of loss or damage to their personal effects, determined to be directly attributable to the performance of official duties on behalf of the United Nations.

Rule 206.7

Maternity leave

(a) An individual shall be entitled to maternity leave in accordance with the following provisions:

(i) The leave shall extend for a total period of sixteen weeks from the time it is granted, except as provided in subparagraph (iii) below.

(ii) The leave shall commence six weeks prior to the anticipated date of birth upon production of a certificate from a duly qualified medical practitioner or midwife indicating the anticipated date of birth. However, at the individual's request and upon production of a certificate from a duly qualified medical practitioner or midwife indicating that she is fit to continue to work, the absence may be permitted to commence less than six weeks but normally not less than two weeks before the anticipated date of birth. The pre-delivery leave shall extend to the actual date of birth.

(iii) The post-delivery leave shall extend for a period equivalent to the difference between sixteen weeks and the actual period of pre-delivery leave, subject to a minimum of ten weeks. However, the individual, on request, may be permitted to return to work after the lapse of a minimum period of six weeks following delivery.

(iv) The individual shall receive maternity leave with full pay for the entire duration of her absence under subparagraphs (ii) and (iii) above.

(b) (Cancelled)

(c) Sick leave shall not normally be granted for maternity cases except where serious complications arise.

(d) (Cancelled)

(e) Annual leave shall accrue during the period of maternity leave, provided that the individual returns to service for at least six months after the completion of maternity leave.

Article VII

TRAVEL AND REMOVAL EXPENSES

Regulation 7.1: Subject to conditions and definitions prescribed by the Secretary-General, the United Nations shall in appropriate cases pay the travel expenses of staff members, their spouses and dependent children.

Regulation 7.2: Subject to conditions and definitions prescribed by the Secretary-General, the United Nations shall pay removal costs for staff members.

Chapter VII

TRAVEL AND REMOVAL EXPENSES

Rule 207.1

Official travel of project personnel

Subject to the conditions prescribed in the present rules and such others as may be prescribed by the Secretary-General from time to time, the travel expenses of project personnel shall be paid in the following circumstances:

(i) On initial appointment;

(ii) On travel on official business;

(iii) On change of official duty station, as defined in rule 200.2;

(iv) On family visit travel under rule 207.12 or on travel in connection with home leave under rule 207.11;

(v) On separation from service under rule 207.14;

(vi) On travel authorized for medical or security reasons or in other appropriate cases, when, in the opinion of the Secretary-General there are compelling reasons for paying such expenses.

Rule 207.2

Official travel of family members

(a) Subject to the conditions prescribed in the present rules, and such others as may be prescribed by the Secretary-General from time to time, the travel expenses of eligible family members of project personnel shall be paid in the following circumstances:

(i) On initial appointment of project personnel, or on change of official duty station in accordance with rules 207.9 and 207.10;

(ii) On home leave, in accordance with rule 207.11;

(iii) On separation from service, if the family members had been residing in the mission area following travel at United Nations expense;

(iv) On journeys authorized in connection with the education of children in accordance with rule 207.13;

(v) On travel authorized for medical or security reasons or in other appropriate cases, when in the opinion of the Secretary-General, there are compelling reasons for paying such expenses;

(vi) For the spouse, in lieu of project personnel's family visit travel under rule 207.1 (i).

(b) Eligible family members shall comprise a spouse and dependent children, as defined in rule 203.7 (b) (ii). In addition, those children in respect of whom an education grant is payable, even though they are no longer recognized as dependent under staff rule 203.7 (b) (ii), shall be eligible for education grant travel.

(c) Under subparagraph (a) (iii) above, the United Nations shall pay the travel expenses of project personnel's eligible family members from the official duty station to the place to which the staff member is entitled to be returned in accordance with rule 207.1 (v). Where both husband and wife are employed by the United Nations and either or both are entitled to the payment of travel expenses on separation from service, and taking into account rule 204.7, travel expenses shall be paid for each only upon their own separation from service. Where both spouses are entitled to return travel expenses, each individual shall have the choice either of exercising his or her own entitlement or of accompanying the other spouse, provided that in no case shall such expenses be paid for an individual while he or she remains in the service of the Organization.

Rule 207.3

Travel expenses

(a) Travel expenses paid or reimbursed by the United Nations under these rules shall comprise:

(i) Transportation expenses (i.e., carrier fare);

(ii) Terminal expenses;

(iii) Daily subsistence allowance while in travel status;

(iv) Other necessary expenses incurred during travel.

(b) Project personnel shall exercise the same care in incurring expenses during travel that a prudent person would exercise if travelling on personal business.

Rule 207.4

Authority for travel

(a) The Organization will pay travel expenses only for travel which has been duly authorized and accomplished.

(b) Project personnel are responsible for ensuring that they have written authorization before commencing travel.

(c) In exceptional circumstances, project personnel may be authorized to travel on oral instructions, but such oral authorization shall require subsequent written confirmation.

Rule 207.5

Route and mode of travel

(a) All travel at the expense of the Organization shall be by a route and mode as prescribed by the Secretary-General.

(b) Travel shall be by the most direct and economical route and mode of transportation unless it is established to the satisfaction of the Secretary-General that the use of an alternative route or mode is in the best interests of the Organization.

(c) Travel subsistence allowance or other entitlements, including travel time, shall be limited to that allowable for a journey by the approved route and mode of travel. Project personnel who make other arrangements for personal convenience must obtain advance approval to do so and pay all additional costs themselves.

Rule 207.6

Standards of accommodation

(a) For official travel, accommodations shall be provided in accordance with the following standards:

(i) When the approved travel is by air, it shall be by economy class transportation in accordance with the least costly airfare structure regularly available. However, under conditions established by the Secretary-General, accommodation immediately below first class may be granted. In exceptional cases, the Secretary-General may allow first-class travel;

(ii) When approved travel is by sea, it shall normally be by a standard next below first class;

(iii) In the case of official travel by train, project personnel shall be provided with appropriate first-class accommodations, including, where necessary, suitable sleeper or other facilities;

(iv) Family members authorized to travel at United Nations expense shall be allowed accommodations similar to those of project personnel.

(b) Project personnel who elect higher standards of accommodation either for themselves or for their family members shall bear the additional costs entailed; conversely, if project personnel elect to travel by lower standards of accommodation, the Organization shall pay only for accommodations actually used.

Rule 207.7

Travel by automobile

(a) Project personnel who are authorized to travel by privately owned automobiles shall be reimbursed for actual mileage on the basis of operating costs in the area in which the travel is undertaken. The mileage rate and the appropriate minimum distance for the calculation of the travel subsistence allowance shall be established by the Secretary-General from time to time.

(b) The total mileage rate reimbursement and travel subsistence allowance which project personnel may claim in respect of a journey shall be limited to the maximum travel expenses admissible had the journey been performed by the most economical route and mode of travel prescribed under rules 207.5 and 207.6.

(c) The mileage rate established under paragraph (a) above shall be payable only to one of two or more persons travelling together on the same journey and in the same automobile.

Rule 207.8

Purchase of tickets

(a) All tickets for transportation involving official travel for project personnel and their eligible family members shall be purchased by the United Nations in advance of the actual travel. In special circumstances, the individual may be authorized to make the arrangements himself or herself and claim subsequent reimbursement from the Organization.

(b) When project personnel request a standard of accommodation in excess of that prescribed under rule 207.6, or are authorized, for reasons of personal preference or convenience, to travel by other than the approved route or mode of travel prescribed under rule 207.5, they shall be required to pay any additional costs entailed before the United Nations provides them with the necessary tickets.

Rule 207.9

Initial and return travel of family members

(a) Subject to the conditions laid down in these rules and others as may be prescribed by the Secretary-General from time to time, the United Nations shall pay the initial and return travel expenses of eligible family members of project personnel in intermediate- or long-term status to and from the duty station when the following circumstances obtain:

(i) The individual is a. assigned to an official duty station for not less than one year; or b. his or her assignment after a shorter period is extended so that the total period is not less than one year; or c. following his or her own family visit travel under rule 207.12, the individual is to remain in service at an official duty station for at least ten months from the date of his return to the field;

(ii) The family members are expected to remain in the mission area for at least six months during the individual's service there, except for dependent children normally resident with the individual who intend to leave the mission area for the purpose of education;

(iii) The Secretary-General has decided that there are no special circumstances or local conditions which preclude project personnel being accompanied by their family members; and

(iv) The individual assumes responsibility for the costs of living, accommodation and medical care for his or her family members.

(b) The Secretary-General may approve travel based on a shorter period than that specified in subparagraphs (a) (i) and (ii) above if, in his view, the circumstances warrant it.

Rule 207.10

Travel of family members on change of official duty station

The conditions in rule 207.9 shall govern the travel of eligible family members on change of official duty station of project personnel.

Rule 207.11

Travel on home leave

(See also rule 205.2)

(a) (i) Home leave travel shall consist of one round trip at United Nations expense between the official duty station and the place of home leave and may be authorized every two years provided that, for the first home leave, project personnel have

completed at least twenty-two months of continuous service after initial appointment;

(ii) For the second and each succeeding home leave, the entitlement of such leave shall not be granted before twenty-four months of continuous service have been completed since the date of departure for previous home leave, or the anniversary date of initial appointment, whichever of these dates is later;

(iii) In exceptional circumstances, project personnel may be granted advanced home leave provided that normally not less than twelve months of qualifying service have been completed since initial appointment or since the date of return from the last home leave, as the case may be and that the granting of such advanced home leave shall not advance the date of entitlement to subsequent home leaves. The granting of advanced home leave shall be subject to the conditions for the entitlement being subsequently met. If these conditions are not met, the individual will be required to reimburse the costs paid by the Organization for the advanced travel.

(b) Travel of eligible family members shall be in conjunction with the approved home leave of project personnel provided that exceptions may be granted if the exigencies of the service or other special circumstances prevent the project personnel and their family members from travelling together. Home leave travel of family members will not normally be authorized unless the family members have been in the mission area for at least six months prior to departure on home leave.

(c) The grant of home leave shall be subject to the conditions that:

(i) Project personnel return to the duty station for at least six additional months;

(ii) (Cancelled)

(iii) Project personnel shall remain in their home countries for at least two weeks;

(iv) The amount of travel time, the route and mode of travel shall be determined by the Secretary-General.

(d) Credit towards home leave shall accrue as from the date of departure from the home country to enter on service, or the date of departure on a previous home leave, whichever of these dates is later.

(e) Project personnel may be required to take home leave in connection with other official travel, including travel on change of duty station, due regard being paid to the interests of the individual and his or her family.

(f) Project personnel who do not take home leave shall not receive any payment in lieu of the travel expenses, nor shall they be credited with additional annual leave in lieu of travel time.

(g) The Secretary-General may approve travel based on a shorter period than that specified in subparagraph (c) (i) above if, in his opinion, the exigencies of the service or other compelling reasons warrant it.

Rule 207.12

Family visit travel

(a) Project personnel in intermediate- or long-term status who have family members in respect of whom a travel entitlement exists shall be entitled to travel to visit their family members at the expense of the Organization once every year in which their home leave does not fall due, provided that:

(i) They have completed not less than twelve months' continuous service after appointment or normally not less than nine months since departure on their last home leave journey. In exceptional circumstances, the Secretary-General may either shorten or extend this period;

(ii) They have not exercised the entitlement for the travel of any of their family members (except education grant travel) during the preceding twelve months;

(iii) Their service at the duty station is expected to continue at least six months beyond the date of return to the duty station. In exceptional circumstances, the Secretary-General may either shorten or extend this period;

(iv) They remain for at least two weeks with their family members;

(v) The amount of travel time, the route and the mode of travel shall be determined by the Secretary-General;

(vi) The travel costs payable by the Organization shall not exceed the costs of travel to their place of home leave, except where the authorized travel is to a former duty station.

(b) Except for allowable travel time, the leave involved will be charged to annual leave.

(c) On return from such travel to the official duty station, the travel expenses of eligible family members shall normally not be paid by the Organization unless the individual is expected to continue in service for at least a further period of ten months, and family members remain at the duty station for at least six months.

(d) Project personnel may be required to exercise entitlements to family visit travel in conjunction with travel on official business or change of duty station, due regard being paid to the interest of the individual and his or her family.

(e) The conditions set out in paragraph (a) of this rule shall apply to the travel of a spouse under rule 207.2 (a) (vi) in lieu of project personnel's own family visit travel.

(f) The Secretary-General may establish special conditions for payment of these travel expenses in respect of eligible project personnel serving at designated duty stations having very difficult or difficult conditions of life and work.

Rule 207.13

Education grant travel

(a) Project personnel in intermediate- or long-term status to whom an education grant is payable under paragraph (d) or under subparagraph (e) (ii) of rule 203.8 in respect of their children's attendance at an educational institution shall be entitled to travel expenses of one return journey for each child between the educational institution and the duty station each scholastic year, provided that:

(i) Such travel expenses shall not be paid if, in the opinion of the Secretary-General, the requested journey is unreasonable, because of its timing in relation to other authorized travel of the individual or his eligible family members or because of the brevity of the visit in relation to the expenses involved;

(ii) In the case of project personnel with an appointment for one year only, education grant travel shall not be paid if the travel expenses of the child have been paid under rule 207.9;

(iii) Where attendance is for less than two thirds of the scholastic year, travel expenses shall not normally be payable.

However, in the case of project personnel serving at designated duty stations, such travel expenses may be paid twice in the year in which the individual is not entitled to home leave. Such expenses may also be paid for up to two round trips per school year in the case indicated in paragraph (c) below.

(b) Transportation expenses shall not exceed the cost of a journey between the home country and the duty station. Travel subsistence allowance shall not be paid in the case of education grant travel, except for authorized stopovers.

(c) Where the disabled child attends an educational institution away from the duty station, travel costs may be paid for up to two round trips per school year between the educational institution and the duty station, provided the Secretary-General is satisfied that the needs of the disabled child require attendance at that educational institution. In very exceptional circumstances, travel may also be reimbursed for the person accompanying the disabled child.

Rule 207.14

Travel on separation from service

On separation from service, the travel expenses of project personnel shall be paid to the place from which they were recruited or to the place recognized as home for the purpose of home leave. Should project personnel, on separation, wish to go to any other place, payment of travel expenses shall not exceed the maximum amount that would have been payable on the basis of direct return transportation to the place of recruitment or home leave.

Rule 207.15

Terminal expenses

(a) For all official travel to or from the duty station, project personnel may claim reimbursement of terminal expenses incurred for each required trip by means of public conveyance between the airport or other point of arrival or departure and the hotel or other place of dwelling in respect of themselves and in respect of each family member authorized to travel at United Nations expense, at rates and under conditions established by the Secretary-General. No expenses shall be reimbursable in respect of an intermediate stop:

(i) Which is not authorized;

(ii) Which does not involve leaving the terminal;

(iii) Which is exclusively for the purpose of making an onward connection.

(b) Terminal expenses shall be deemed to include all expenditures for transportation between the airport or other point of arrival or departure and the hotel or other place of dwelling, including transfer of accompanied baggage and other incidental charges, except the costs provided for under rule 207.19 (iii).

(c) (Cancelled)

Rule 207.16

Daily subsistence allowance while in travel status

(a) Subject to the provisions of rule 203.9 and except during travel by sea, project personnel shall, when authorized to travel on official business, receive an appropriate daily subsistence allowance which may vary from area to area. Except as provided in rules 207.15 and 207.19, any expenditures incurred in excess of the daily subsistence allowance shall be borne by project personnel.

(b) Daily subsistence allowance under paragraph (a) above shall not be paid in the case of project personnel in short-term status who are already in

receipt of a daily subsistence allowance under rule 203.9 (a). Such personnel when travelling on official business outside the mission area shall receive the daily subsistence allowance at the rate applicable to the area in which they are in travel status.

(c) When family members are authorized to travel at United Nations expense, project personnel shall be paid an additional daily subsistence allowance on behalf of each such family member at one half the rate applicable to project personnel.

(d) The Secretary-General may establish a special rate for daily subsistence allowance in cases where he deems it appropriate, such as assignments to conferences or seminars, etc.

Rule 207.17

Computation of the daily subsistence allowance while in travel status

(a) Except during travel by sea, the daily subsistence allowance shall be paid to project personnel, at the rates and under the conditions prescribed in rule 207.16, for each calendar day or fraction thereof involving an overnight stay away from their residence, during which project personnel or their family members are in official travel status, provided that for a journey of twenty-four hours or longer a full day's allowance at the appropriate rate shall be paid for the day on which travel is begun and that no allowance shall be paid for the day on which travel is ended. Where travel does not involve an overnight stay away from the residence, no allowance shall be paid for a journey of less than ten hours, and 40 per cent of the allowance shall be paid for a journey of ten hours or more.

(b) Where travel is by sea, a full day's allowance at the appropriate rate shall be paid for the day of arrival at the port of disembarkation provided that the traveller remains in official travel status for more than twelve hours thereafter. No allowance shall be paid for the day on which embarkation takes place. This payment shall be in addition to the transit allowance under rule 207.18.

(c) No allowance shall be paid when a traveller returns to his or her official duty station within twelve hours after departure.

(d) When it is necessary for the purpose of computing the amount of daily subsistence allowance payable to specify the "hour of departure" and the "hour of arrival", these shall be considered as the time when the train, vessel, or airplane used by the traveller actually departs from or arrives at its terminal.

(e) No travel subsistence allowance shall be payable in respect of travel on home leave, family visit or education grant, provided that the allowance may be paid for stopovers actually made on such travel under conditions established by the Secretary-General. Where travel at United Nations expense is authorized for medical, security or other reasons under rule 207.1 (vi) or 207.2 (a) (v), an appropriate amount of subsistence allowance may be paid at the discretion of the Secretary-General.

Rule 207.18

Expenses while in transit by sea

(a) Project personnel authorized to travel by sea shall be entitled to a transit allowance instead of the daily subsistence allowance under rule 207.16. This allowance is a fixed amount designed to cover such expenditures as project personnel are normally obliged to incur on board ship.

(b) The Secretary-General shall, from time to time, establish the transit allowance payable for specified journeys by sea, taking into account the cost of fares, and the number of dependants accompanying the individual at the Organization's expense.

Rule 207.19

Miscellaneous travel expenses

Necessary additional expenses incurred by project personnel in connection with the transaction of official business while in the performance of authorized travel shall be reimbursed by the United Nations after completion of travel, provided that the necessity and nature of the expenses are satisfactorily explained and supported by proper receipts which shall normally be required for any expenditures in excess of $6. Such expenses, for which advance authorization shall be obtained to the extent practicable, shall normally be limited to:

(i) Hire of local transportation other than that provided for under rule 207.15;

(ii) Telephone, telegraph, radio and cable messages on official business;

(iii) Transfer of authorized baggage by railway express or other appropriate means;

(iv) Hire of room for official use;

(v) Stenographic or typewriting services or rental of typewriters in connection with the preparation of official reports or correspondence;

(vi) Transportation or storage of baggage or property used on official business;

(vii) Passport and visa costs.

Rule 207.20

Excess baggage and unaccompanied shipments

(a) Baggage in excess of the free baggage allowance provided by the transportation company shall be regarded as excess baggage for the purpose of these rules.

(b) Project personnel travelling by air economy class shall be entitled to payment of excess baggage charges for themselves and their eligible family members to the extent of the difference between the free baggage allowance by first class and by economy class.

(c) Where baggage is carried without charge by one transportation company but is regarded as excess baggage by a company furnishing onward transportation other than by air, the charges involved may be reimbursed on submission of a receipt for the excess baggage charges.

(d) On appointment, change of duty station or separation, project personnel shall be entitled to reimbursement of expenses in transporting personal effects and household goods in accordance with the provisions of paragraphs (e) to (i) of this rule.

(e) Project personnel in short-term status may be authorized the shipment of personal effects and household goods by the most economical mode of transportation, as determined by the Secretary-General, up to a maximum including the weight or volume of packing, of 100 kilograms (220 pounds) or 0.62 cubic metres (22 cubic feet), but excluding crating and lift vans.

(f) Project personnel in intermediate- or long-term status may be authorized the shipment of personal effects and household goods by the most economical mode of transportation, as determined by the Secretary-General up to a maximum, including the weight or volume of packing but excluding crating and lift vans, of:

(i) 1,000 kilograms (2,200 pounds) or 6.23 cubic metres (220 cubic feet) for the individual;

(ii) 500 kilograms (1,100 pounds) or 3.11 cubic metres (110 cubic feet) for the first eligible family member;

(iii) 300 kilograms (660 pounds) or 1.87 cubic metres (66 cubic feet) for each additional family member authorized to travel at United Nations expense.

(g) Where surface shipment under paragraphs (e) or (f) is the most economical mode of transportation, the individual may elect to convert his or her whole entitlement to air freight on the basis of one half of the weight or volume of the entitlement by the surface mode of transportation. The conversion to air freight of a portion of such an entitlement by a surface mode of transportation may be authorized on the same basis when, in the opinion of the Secretary-General, this is necessary to meet the urgent needs of the individual. However, for shipments under paragraph (f) above, the first 10 per cent of the staff member's entitlement, when converted to air freight, shall be on the basis of the full weight or volume, except in case of separation from service or appointment, assignment or transfer to a duty station in a city where the headquarters of the United Nations, a specialized agency or the International Atomic Energy Agency is located.

(h) Project personnel may be authorized additional excess baggage by air when, in the opinion of the Secretary-General, the circumstances so warrant. Additional excess baggage by air, when authorized, will be shipped by air freight rather than as accompanied baggage, wherever possible.

(i) When the shipment of personal effects or household goods is authorized under paragraph (e) or (f) of this rule:

(i) Shipment shall be made in one consignment unless otherwise warranted, in the opinion of the Secretary-General, by exceptional circumstances;

(ii) Shipment shall normally be made between the place of recruitment or of home leave and the duty station. Where shipment is authorized between any other place and the duty station, payment of transportation expenses shall not exceed the normal entitlement;

(iii) Reasonable costs of packing, crating, unpacking and uncrating shall be allowed for shipments within the authorized limits, except that costs for servicing of appliances, dismantling or erection of fixtures or costs of special packing shall not be borne by the United Nations;

(iv) Storage charges, other than those incidental to transportation expenses, shall not normally be allowed; and

(v) Privately owned vehicles may not be transported in lieu of personal effects and household goods under paragraphs (e) and (f) of this rule.

(j) Project personnel and their eligible family members on home leave travel, family visit travel or education grant travel by air or by land may be authorized an unaccompanied shipment of personal effects by a surface mode of transportation up to a maximum, including the weight or volume of packing but excluding crating and lift vans, of:

(i) 50 kilograms (110 pounds) or 0.31 cubic metres (11 cubic feet) per person in respect of each journey, except as provided in subparagraph (ii) below. At the request of the individual, this entitlement may be converted to 10 additional kilograms of accompanied excess baggage or its equivalent as established by the Secretary-General;

(ii) 200 kilograms (440 pounds) or 1.24 cubic metres (44 cubic feet), in respect of the first outward journey to, and the final return journey from, an educational institution on education grant travel.

Shipments under this paragraph shall be made in one consignment. When the authorized travel is by air, the whole entitlement may be converted to air freight on the basis of the one-half rule. No costs for packing, crating, unpacking and uncrating will be paid for such shipments, but reasonable costs will be paid for cartage.

(k) In addition to the shipment of personal effects and household goods under this rule, the cost of transporting a privately-owned automobile to a duty station may be partially reimbursed under conditions established by the Secretary-General, provided that the duty station to which the automobile is transported is one of the duty stations designated for that purpose and that the assignment of project personnel to the duty station is expected to be for

a period of two years or more or that the initial assignment for a lesser period is extended so that the total period of assignment becomes two years or more.

(l) Notwithstanding the one-half rule laid down in paragraphs (g) and (j) above, conversion to air freight on the basis of the full weight or volume may be authorized in the following cases:

(i) Where the cost of air freight is lower than surface shipment;

(ii) Where there is an extraordinary risk of damage to, or loss of, the shipment in transit; or

(iii) Where an excessive shipping delay is expected, particularly for shipment to land-locked countries.

However, for surface shipments under paragraph (j) conversion on the basis of the full weight or volume may be authorized only in the cases indicated in subparagraphs (i) and (ii) above.

(m) Under terms and conditions established by the Secretary-General, project personnel serving at designated duty stations having very difficult conditions of life and work shall be granted once a year an additional shipment entitlement to the duty station by surface means of up to 50 kilograms (110 pounds) or 0.31 cubic metres (11 cubic feet) excluding crating, in respect of the individual and each eligible family member accompanying him or her at the duty station.

Rule 207.21

Insurance

(a) Project personnel shall not be reimbursed for the cost of personal accident insurance or of insurance of accompanied personal baggage. However, compensation may be paid in respect of losses of accompanied personal baggage in accordance with such arrangements as may be in force under rule 206.6.

(b) In the case of personal effects and household goods shipped under rule 207.20 (e) or (f), the United Nations will arrange for commercial insurance coverage up to a maximum of:

(i) $16,000 for the staff member;

(ii) $8,000 for the first eligible family member;

(iii) $4,800 for each additional family member.

Such insurance coverage shall not include articles of value for which special premium rates are charged. The United Nations will not be responsible for loss or damage to unaccompanied baggage.

(c) In the case of personal effects and household goods shipped under rule 207.20 (e) or (f), project personnel shall furnish the United Nations, prior to shipment, with a valued inventory in duplicate of all articles shipped, including all containers such as suitcases as well as their contents, and the replacement value in United States dollars of each article in the shipment. If no inventory is furnished, no insurance coverage will be provided.

(d) Insurance coverage above the maxima established in paragraph (b) above and for articles of value for which special premium rates are charged will only be provided by the United Nations at the express request of the project personnel and at their own expense.

Rule 207.22

Travel advances

(a) Project personnel authorized to travel shall provide themselves with sufficient funds for all current expenses by securing an advance of funds if necessary. A reasonable advance of funds against the estimated reimbursable travel expenses may be made to project personnel or their family members for expenses authorized under these Rules. An advance of funds shall be considered reasonable if not more than 80 per cent of the estimated reimbursable expenditures. If, in the course of travel, project personnel have earned in subsistence allowance an amount equal to the amount advanced, they may be advanced the balance of the estimated reimbursable expenses. No advance shall be made in the case of travel by automobile.

(b) However, in those cases where project personnel are authorized to travel in accordance with staff rule 207.1 (a) (ii), an advance of funds at the rate of 100 per cent of the estimated travel subsistence allowance payable in accordance with staff rule 207.3 (iii) may be made.

Rule 207.23

Transportation of decedents

Upon the death of project personnel or of an eligible family member, the United Nations shall pay the expenses of transportation of the body from the place of death to a place to which they are entitled to return transportation under rule 207.1 or 207.9. These expenses shall include reasonable costs for preparation of the body. If local interment is elected, reasonable expenses incurred for the interment may be reimbursed.

Rule 207.24

Loss of entitlement to travel expenses and unaccompanied shipment

(a) The Secretary-General may reject any claim for payment or reimbursement of expenses for travel or unaccompanied shipment which are incurred by project personnel in contravention of any provisions of these rules.

(b) Project personnel who resign before completing one year of service or within six months following the date of return from home leave or family visit travel shall not be entitled to payment of travel expenses on separation for themselves or their family members.

(c) Entitlement to expenses for return travel or unaccompanied shipment shall cease if travel or shipment has not commenced within six months after the date of separation from service. However, where both husband and wife are employed by the United Nations and the spouse who separates first is entitled to return travel or unaccompanied shipment, and taking into account rule 204.7, his or her entitlement shall not cease until six months after the date of separation of the other spouse.

(d) When return travel is delayed by project personnel for personal convenience, any resulting cost of revalidating the return portion of tickets shall be borne by project personnel.

(e) The Secretary-General may authorize exceptions to paragraphs (b) and (c) above if he is satisfied that there are compelling reasons for so doing.

Article VIII

STAFF RELATIONS

Regulation 8.1: (a) The Secretary-General shall establish and maintain continuous contact and communication with the staff in order to ensure the effective participation of the staff in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other personnel policies.

(b) Staff representative bodies shall be established and shall be entitled to initiate proposals to the Secretary-General for the purpose set forth in subparagraph 1 (a) above. They shall be organized in such a way as to afford equitable representation to all staff members, by means of elections that shall take place at least biennially under electoral regulations drawn up by the respective staff representative body and agreed to by the Secretary-General.

(c) (Cancelled)

Regulation 8.2: The Secretary-General shall establish joint staff/management machinery at both local and Secretariat-wide levels to advise him regarding personnel policies and general questions of staff welfare as provided in regulation 8.1.

Article IX

SEPARATION FROM SERVICE

Regulation 9.1: (a) The Secretary-General may terminate the appointment of a staff member who holds a permanent appointment and whose probationary period has been completed, if the necessities of the service require abolition of the post or reduction of the staff, if the services of the individual concerned prove unsatisfactory, or if he or she is, for reasons of health, incapacitated for further service.

The Secretary-General may also, giving his reasons therefor, terminate the appointment of a staff member who holds a permanent appointment:

(i) If the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by Article 101, paragraph 3, of the Charter;

(ii) If facts anterior to the appointment of the staff member and relevant to his or her suitability come to light which, if they had been known at the time of his or her appointment, should under the standards established in the Charter, have precluded his or her appointment.

No termination under subparagraphs (i) and (ii) shall take place until the matter has been considered and reported on by a special advisory board appointed for that purpose by the Secretary-General.

Finally, the Secretary-General may terminate the appointment of a staff member who holds a permanent appointment if such action would be in the interest of the good administration of the Organization and in accordance with the standards of the Charter, provided that the action is not contested by the staff member concerned.

(b) The Secretary-General may terminate the appointment of a staff member with a fixed-term appointment prior to the expiration date for any of the reasons specified in paragraph (a) above, or for such other reason as may be specified in the letter of appointment.

(c) In the case of all other staff members, including staff members serving a probationary period for a permanent appointment, the Secretary-General may at any time terminate the appointment if, in his opinion, such action would be in the interest of the United Nations.

Regulation 9.2: Staff members may resign from the Secretariat upon giving the Secretary-General the notice required under the terms of their appointment.

Regulation 9.3: (a) If the Secretary-General terminates an appointment, the staff member shall be given such notice and such indemnity payment as may be applicable under the Staff Regulations and Staff Rules. Payments of termination indemnity shall be made by the Secretary-General in accordance with the rates and conditions specified in annex III to the present regulations.

(b) The Secretary-General may, where the circumstances warrant and he considers it justified, pay to a staff member terminated under the final paragraph of staff regulation 9.1 (a) a termination indemnity payment not more than 50 per cent higher than that which would otherwise be payable under the Staff Regulations.

Regulation 9.4: The Secretary-General shall establish a scheme for the payment of repatriation grants within the maximum rates and under the conditions specified in annex IV to the present Regulations.

Regulation 9.5: Staff members shall not be retained in active service beyond the age of sixty years or, if appointed on or after 1 January 1990, beyond the age of sixty-two years. The Secretary-General may, in the interest of the Organization, extend this age limit in exceptional cases.

Chapter IX

SEPARATION FROM SERVICE

Rule 209.1

Resignation

(a) A resignation within the meaning of the present rules is a separation initiated by the individual.

(b) Unless otherwise specified in their letters of appointment, thirty days' written notice of resignation shall be given by project personnel having fixed-term appointments. The Secretary-General may, however, accept resignations on shorter notice.

(c) The Secretary-General may require the resignation to be submitted in person in order to be acceptable.

Rule 209.2

Termination

(a) A termination within the meaning of the present rules is a separation initiated by the Organization other than: (i) a retirement; (ii) a summary dismissal for serious misconduct; or (iii) a separation as a result of the expiration of a fixed-term appointment on the due date.

(b) Abandonment of post is a separation initiated by the individual other than by way of resignation and is not considered a termination initiated by the Secretary-General within the meaning of staff regulation 9.1 (a) and rule 209.2 (a).

(c) A separation as a result of expiration of a fixed-term appointment shall take place automatically and without prior notice on the expiration date specified in the letter of appointment.

(d) The Secretary-General may, at any time, terminate the appointments of project personnel in accordance with the provisions of staff regulation 9.1.

Rule 209.3

(Cancelled)

Rule 209.4

Notice of termination

(a) Project personnel whose appointments are to be terminated prior to the expiration date specified in the letter of appointment shall be given not less than a month's written notice of termination or such notice as may be otherwise stipulated in their letters of appointment.

(b) In lieu of the notice period, the Secretary-General may authorise compensation calculated on the salary with post adjustment, dependency benefits and repatriation grant which the individual would have received had the date of termination been at the end of the notice period.

Rule 209.5

Termination indemnity

(a) Project personnel whose appointments are terminated shall be paid termination indemnities in accordance with the provisions of staff regulation 9.3 and annex III to the Staff Regulations. Length of service for the purpose of computation of termination indemnity shall be deemed to include completed months of service in excess of the completed years specified in the schedule contained in annex III (a) to the Staff Regulations.

(b) Payment of termination indemnity shall be calculated on the basis of the individual's gross salary less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (i). Service credits shall not accrue during periods of special leave with partial pay or without pay of one full month or more.

Rule 209.6

Repatriation grant

(a) Upon separation, project personnel serving outside their home countries shall be entitled to a repatriation grant in accordance with regulation 9.4 and annex IV to the Staff Regulations.

(b) The detailed conditions for the payment of the grant are set out in rule 209.8.

Rule 209.7

(Cancelled)

Rule 209.8

Conditions governing payment of repatriation grant

Payment of repatriation grant under regulation 9.4 and annex IV to the Staff Regulations shall be subject to the following conditions and definitions:

(a) "Obligation to repatriate" as used in annex IV to the Staff Regulations shall mean obligation to return project personnel and their eligible family members, upon separation, at the expense of the United Nations, to a place outside the country of the duty station.

(b) "Home country" as used in annex IV to the Staff Regulations shall be determined on the same basis as the country of home leave entitlement under rule 205.2.

(c) "Service" for the purposes of repatriation grant calculations shall exclude service before 1 January 1958, except in the case of project personnel who held entitlement to repatriation grant before that date. Service prior to 1 January 1951 shall be excluded in all cases.

(d) Payment of the repatriation grant shall be subject to the provision by former project personnel of evidence of relocation away from the country of the last duty station. Evidence of relocation shall be constituted by documentary evidence that former project personnel have established residence in a country other than that of the last duty station.

(e) Entitlement to repatriation grant shall cease if no claim for payment of the grant has been submitted within two years after the effective date of separation. However, where both husband and wife are employed by the United Nations and the spouse who separates first is entitled to repatriation grant, and taking into account rule 204.7, his or her entitlement to repatriation grant shall cease if no claim for payment of the grant has been submitted within two years after the date of separation of the other spouse.

(f) (Cancelled)

(g) Payment of the repatriation grant shall be calculated on the basis of the individual's gross salary less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (i). For the purpose of calculating the amount of the grant payable, service credits shall not accrue during periods of special leave with partial pay or without pay of one full month or more.

(h) No payments shall be made to project personnel who abandon their posts, nor to those who are summarily dismissed. Project personnel who reside in their home country while performing their official duties shall not be entitled to repatriation grant upon separation. The Secretary-General may grant at his discretion a full or partial repatriation grant, subject to paragraph (d) above, in the case of project personnel who, after service at a duty station outside their home country, have served at a duty station within that country.

(i) A dependent child, for the purpose of repatriation grant, shall mean a child recognized as dependent under rule 203.7 (b) at the time of the individual's separation from service. The repatriation grant shall be paid at the rate for a staff member with a spouse or dependent child to eligible project personnel regardless of the place of residence of the spouse or dependent child.

(j) Where both husband and wife are employed by the United Nations or by a specialized agency and each is entitled, on separation, to payment of a repatriation grant, and taking into account rule 204.7, payment shall be made to each, at single rates, according to their respective entitlements, provided that, where dependent children are recognized, the first parent to be separated may claim payment at the rate applicable to a staff member with a spouse or dependent child. In this event, the second parent, on separation, may claim payment at the single rate for the whole period of qualifying service or, if eligible, at the rate applicable to a staff member with a spouse or dependent child for the whole period of his or her qualifying service, from which shall normally be deducted the amount difference between the dependency rate and the single rate of the repatriation grant paid to the first parent.

(k) Loss of entitlement to payment of return travel expenses under rule 207.24 shall not affect project personnel's eligibility for payment of the repatriation grant.

(l) In the event of the death of project personnel, no payment of repatriation grant shall be made unless there is a surviving spouse or one or more dependent children. If there is one such survivor, payment of repatriation grant shall be made at the single rate to the survivor; if there are two or more such survivors, payment of repatriation grant shall be made at the rate applicable to a staff member with a spouse or dependent child and shall be paid to the survivors in such proportions as may have been specified by the deceased, or in the absence of such designation, in equal proportions.

(m) Payment of repatriation grant shall normally be made in the currency of the established country of residence.

Rule 209.9

Commutation of accrued annual leave

If, upon separation, project personnel have accrued annual leave, they shall be paid in lieu thereof a sum of money in commutation of the period of such accrued leave up to a maximum of forty-five days in the case of service of two years or less, or sixty days in the case of longer service. The payment shall be calculated on the basis of the individual's net base salary plus post adjustment, according to the schedule of rates set forth in staff regulation 3.3 (b) (i).

Rule 209.10

Restitution of advance annual and sick leave

(a) On separation, project personnel who have taken advance annual or sick leave beyond the amount actually earned and accrued while in service shall be required to make restitution for such advance leave by means of a cash refund.

(b) The Secretary-General may waive this requirement if he is satisfied that there are compelling reasons for doing so.

Rule 209.11

Last day for pay purposes

(a) When project personnel are separated from service, the date on which entitlement to salary, allowances and benefits shall cease shall be determined according to the following provisions:

(i) Upon resignation, the date shall be either the date of expiration of the notice period under rule 209.1 or such other date as the Secretary-General accepts;

(ii) Upon expiration of a fixed-term appointment, the date shall be the date specified in the letter of appointment;

(iii) Upon termination, the date shall be the date provided in the notice of termination;

(iv) In the case of summary dismissal, the date shall be the date of dismissal;

(v) In the case of death, the date on which entitlement to salary, allowances and benefits shall cease shall be the date of death, except in the case of project personnel who are survived by a spouse or a child recognized as dependent under rule 203.7 (b). In this event, the date shall be determined in accordance with the following schedule:

Length of service	Months of extension beyond date of death
3 years or less	3
4 years	4
5 years	5
6 years	6
7 years	7
8 years	8
9 years or more	9

Length of service shall be deemed to comprise the individual's total period of continuous service. Completed months of service in excess of the completed years specified in the schedule above shall be taken into account on a proportionate basis up to the maximum extension of six months. Payment related to the period of extension beyond the date of death may be made in a lump sum as soon as the pay accounts and related matters can be closed. Such payment shall be calculated on the basis of the individual's gross salary less staff assessment according to the schedule of rates set forth in staff regulation 3.3 (b) (i). All other entitlements and accrual of benefits shall cease as of the date of death.

(b) When project personnel are exercising an entitlement to return travel, the last day for pay purposes shall be the date established under subparagraphs (a) (i), (ii) and (iii) above, or the estimated date of arrival at the place of entitlement, whichever is later. The estimated date of arrival shall be determined on the basis of the time it would take to travel without interruption by an approved route and mode of direct travel from the duty station to the place of entitlement, the travel commencing no later than the day following the date established under paragraph (a) above.

Article X

DISCIPLINARY MEASURES

Regulation 10.1: The Secretary-General may establish administrative machinery with staff participation which will be available to advise him in disciplinary cases.

Regulation 10.2: The Secretary-General may impose disciplinary measures on staff members whose conduct is unsatisfactory.

He may summarily dismiss a member of the staff for serious misconduct.

Chapter X

DISCIPLINARY MEASURES

Rule 210.1

Disciplinary measures

In any case involving possible disciplinary action, the Secretary-General may establish, on an ad hoc basis, machinery to advise him before any decision is taken.

Rule 210.2

Suspension pending investigation

If a charge of misconduct is made against an individual and the Secretary-General so decides, the individual may be suspended from duty during investigation. Such suspension shall be with pay unless, in exceptional circumstances, the Secretary-General decides that suspension without pay is appropriate. The suspension shall be without prejudice to the rights of the individual.

Article XI

APPEALS

Regulation 11.1: The Secretary-General shall establish administrative machinery with staff participation to advise him in case of any appeal by staff members against an administrative decision alleging the non-observance of their terms of appointment, including all pertinent regulations and rules.

Regulation 11.2: The United Nations Administrative Tribunal shall, under conditions prescribed in its statute, hear and pass judgement upon applications from staff members alleging non-observance of their terms of appointment, including all pertinent regulations and rules.

Chapter XI

APPEALS

Rule 211.1

Appeals

(a) The appropriate Joint Appeals Board to be determined in accordance with rule 111.2 (d) shall consider and advise the Secretary-General regarding appeals filed under the terms of staff regulation 11.1 by project personnel against an administrative decision alleging non-observance of their terms of appointment, including all pertinent regulations and rules, or against disciplinary action.

(b) Rule 111.1 on establishment and rule 111.2 on appeals shall apply to project personnel.

(c) Project personnel serving away from Headquarters may meet the time-limits specified in paragraph (a) of rule 111.2 by delivering the letter addressed to the Secretary-General and the appeal submitted to the Secretary of the Joint Appeals Board within the respective specified periods to an office of the United Nations for transmission to Headquarters.

(The text of rules 111.1 and 111.2 is reproduced as appendix II to the present Rules.)

Rule 211.2

Administrative Tribunal

(a) Under staff regulation 11.2, project personnel may apply to the United Nations Administrative Tribunal alleging non-observance of their terms of appointment, including all pertinent regulations and rules, in accordance with the provisions of the Statute of the Tribunal.

(b) An application to the Tribunal shall not be receivable unless the applicant has previously submitted the dispute to the Joint Appeals Board under rule 211.1 and the Board has communicated its opinion to the Secretary-General, except where the Secretary-General and the applicant have agreed to submit the application directly to the Tribunal.

Article XII

GENERAL PROVISIONS

Regulation 12.1: These regulations may be supplemented or amended by the General Assembly, without prejudice to the acquired rights of staff members.

Regulation 12.2: Such staff rules and amendments as the Secretary-General may make to implement these regulations shall be provisional until the requirements of regulations 12.3 and 12.4 below have been met.

Regulation 12.3: The full text of provisional staff rules and amendments shall be reported annually to the General Assembly. Should the Assembly find that a provisional rule and/or amendment is inconsistent with the intent and purpose of the Regulations, it may direct that the rule and/or amendment be withdrawn or modified.

Regulation 12.4: The provisional rules and amendments reported by the Secretary-General, taking into account such modifications and/or deletions which may be directed by the General Assembly, shall enter into full force and effect on 1 January following the year in which the report is made to the Assembly.

Regulation 12.5: Staff rules shall not give rise to acquired rights within the meaning of regulation 12.1 while they are provisional.

Chapter XII

GENERAL PROVISIONS

Rule 212.1

Amendment of, and exceptions to, Staff Rules

(a) Subject to staff regulations 12.1, 12.2, 12.3, 12.4 and 12.5, the present rules may be amended by the Secretary-General in a manner consistent with the Staff Regulations.

(b) Exceptions to the present rules may be made by the Secretary-General provided that such exception is not inconsistent with any staff regulation, and provided further that it is agreed to by the individual directly affected and is, in the opinion of the Secretary-General, not prejudicial to the interests of other project personnel.

Rule 212.2

Financial responsibility

Project personnel may be required to reimburse the United Nations either partially or in full for any financial loss suffered by the United Nations as a result of their negligence or of their having violated any regulation, rule or administrative instruction.

Rule 212.3

Liability insurance

Project personnel who own or drive automobiles shall carry public liability and property damage insurance in an amount adequate to insure them against claims arising from injury or death to other persons or damage to the property of others, caused by their automobiles.

Rule 212.4

Beneficiaries

(a) At the time of appointment, project personnel shall nominate a beneficiary or beneficiaries in writing in a form prescribed by the Secretary-General. It shall be the responsibility of project personnel to notify the Secretary-General of any revocations or changes of beneficiaries.

(b) In the event of the death of the individual, all amounts standing to his or her credit will be paid to his or her nominated beneficiary or beneficiaries subject to application of the present rules. Such payment shall afford the United Nations a complete release from all further liability in respect to any sum so paid.

(c) If a nominated beneficiary does not survive or if a designation of beneficiary has not been made or has been revoked, the amount standing to the credit of the individual shall upon his or her death be paid to his or her estate.

Rule 212.5

Retroactivity of payments

Project personnel who may not have been receiving any allowances, grants or other payments due under the present rules shall not be entitled to receive such allowances, grants or other payments retroactively, unless a written claim has been submitted within one year of the date when the initial payment would otherwise have been due.

Rule 212.6

Proprietary rights

All rights, including title, copyright and patent rights, in any work performed by project personnel as part of their official duties shall be vested in the United Nations.

Rule 212.7

Effective date and authentic texts of rules

Except as otherwise indicated and subject always to the provisions of regulations 12.1, 12.2, 12.3, 12.4 and 12.5, rules 200.1 to 212.7 as published in the present revised edition (ST/SGB/Staff Rules/2/Rev.8) shall be effective 1 January 1995 and shall supersede all previous rules applicable to project personnel. The English and French texts of these rules are equally authoritative.

Annex I

SALARY SCALES AND RELATED PROVISIONS

1. The Secretary-General shall establish the salary of the Administrator of the United Nations Development Programme and the salaries of United Nations officials in the Director category and above, in accordance with amounts determined by the General Assembly, subject to the staff assessment plan provided in staff regulation 3.3 and to post adjustments wherever applied. If otherwise eligible, they shall receive the allowances that are available to staff members generally.

2. The Secretary-General is authorized, on the basis of appropriate justification and/or reporting, to make additional payments to United Nations officials in the Director category and above to compensate for such special costs as may be reasonably incurred, in the interests of the Organization, in the performance of duties assigned to them by the Secretary-General. Similar additional payments in similar circumstances may be made to heads of offices away from Headquarters. The maximum total amount of such payments is to be determined in the programme budget by the General Assembly.

3. Except as provided in paragraph 5 of the present annex, the salary scales and the scales of post adjustment for staff members in the Professional and higher categories shall be as shown in the present annex.

4. Subject to satisfactory service, salary increments within the levels set forth in paragraph 3 of the present annex shall be awarded annually, except that any increments above step XI of the Associate Officer level, step XIII of the Second Officer level, step XII of the First Officer level, step X of the Senior Officer level and step IV of the Principal Officer level shall be preceded by two years at the previous step. The Secretary-General is authorized to reduce the interval between salary increments to ten months and twenty months, respectively, in the case of staff subject to geographical distribution who have an adequate and confirmed knowledge of a second official language of the United Nations.

5. The Secretary-General shall determine the salary rates to be paid to personnel specifically engaged for short-term missions, conference and other short-term service, to consultants, to Field Service personnel and to technical assistance experts.

6. The Secretary-General shall fix the salary scales for staff members in the General Service and related categories, normally on the basis of the best prevailing conditions of employment in the locality of the United Nations Office concerned, provided that the Secretary-General may, where he deems it appropriate, establish rules and salary limits for payment of a non-resident allowance to General Service staff members recruited from outside the local area. The gross pensionable remuneration of such staff shall be determined in accordance with the methodology specified in article 54 (a) of the Regulations of the United Nations Joint Staff Pension Fund and are shown in the salary scales applicable to such staff.

7. The Secretary-General shall establish rules under which a language allowance may be paid to staff members in the General Service category who pass an appropriate test and demonstrate continued proficiency in the use of two or more official languages.

8. In order to preserve equivalent standards of living at different offices, the Secretary-General may adjust the basic salaries set forth in paragraphs 1 and 3 of the present annex by the application of non-pensionable post adjustments based on relative costs of living, standards of living and related factors at the office concerned as compared to New York. Such post adjustments shall not be subject to staff assessment.

9. No salary shall be paid to staff members in respect of periods of unauthorized absence from work unless such absence was caused by reasons beyond their control or duly certified medical reasons.

Annex I

Salary scale for the Professional and higher categories showing annual gross salaries and net equivalents after application of staff assessment

(in United States dollars)

Effective 1 March 1995

Level		STEP I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
Under-Secretary-General																
USG	Gross	145,236														
	Net D	93,735														
	Net S	84,232														
Assistant-Secretary-General																
ASG	Gross	131,617														
	Net D	85,972														
	Net S	77,763														
Director			•	•	•	•	•									
D-2	Gross	107,062	109,482	111,934	114,394	116,855	119,317									
	Net D	71,946	73,349	74,752	76,154	77,558	78,961									
	Net S	66,026	67,236	68,414	69,582	70,751	71,921									
Principal Officer						•	•	•	•	•						
D-1	Gross	94,299	96,371	98,442	100,510	102,581	104,653	106,724	108,795	110,880						
	Net D	64,544	65,745	66,946	68,146	69,347	70,549	71,750	72,951	74,152						
	Net S	59,645	60,680	61,716	62,750	63,786	64,821	65,857	66,893	67,913						
Senior Officer												•	•	•		
P-5	Gross	82,807	84,650	86,492	88,335	90,181	92,053	93,927	95,802	97,674	99,548	101,423	103,295	105,170		
	Net D	57,806	58,893	59,981	61,068	62,155	63,241	64,328	65,415	66,501	67,588	68,675	69,761	70,848		
	Net S	53,611	54,606	55,601	56,596	57,585	58,522	59,459	60,396	61,332	62,269	63,206	64,143	65,080		
First Officer														•	•	•
P-4	Gross	67,706	69,475	71,240	73,005	74,774	76,565	78,362	80,159	81,955	83,751	85,546	87,346	89,141	90,954	92,762
	Net D	48,824	49,885	50,944	52,003	53,064	54,123	55,183	56,244	57,304	58,363	59,422	60,484	61,543	62,603	63,664
	Net S	45,413	46,378	47,342	48,306	49,271	50,240	51,210	52,181	53,151	54,120	55,090	56,062	57,031	57,972	58,886
Second Officer															•	•
P-3	Gross	54,837	56,463	58,097	59,727	61,361	62,993	64,624	66,279	67,938	69,590	71,258	72,917	74,576	76,256	77,945
	Net D	40,997	41,993	42,989	43,983	44,980	45,975	46,971	47,967	48,963	49,959	50,955	51,950	52,946	53,941	54,938
	Net S	36,291	39,197	40,104	41,009	41,915	42,821	43,727	44,633	45,539	46,446	47,352	48,258	49,164	50,073	50,985
Associate Officer													•			
P-2	Gross	43,754	45,131	46,543	47,957	49,369	50,783	52,197	53,609	55,026	56,485	57,943	59,405			
	Net D	33,990	34,882	35,772	36,663	37,553	38,443	39,334	40,224	41,116	42,006	42,895	43,787			
	Net S	31,914	32,730	33,539	34,349	35,158	35,969	36,779	37,588	38,399	39,209	40,018	40,830			
Assistant Officer																
P-1	Gross	32,951	34,212	35,492	36,809	38,125	39,440	40,760	42,075	43,391	44,706					
	Net D	26,907	27,764	28,620	29,476	30,331	31,186	32,044	32,899	33,754	34,610					
	Net S	25,412	26,208	26,997	27,781	28,564	29,347	30,132	30,915	31,698	32,481					

D = Rate applicable to staff members with a dependent spouse or child.

S = Rate applicable to staff members with no dependent spouse or child.

• = The normal qualifying period for in-grade movement between consecutive steps is one year, except at those steps marked with an asterisk for which a two-year period at the preceding step is required.

Annex II

LETTERS OF APPOINTMENT

(a) The letter of appointment shall state:

(i) That the appointment is subject to the provisions of the Staff Regulations and of the Staff Rules applicable to the category of appointment in question and to changes that may be duly made in such regulations and rules from time to time;

(ii) The nature of the appointment;

(iii) The date at which the staff member is required to enter upon his or her duties;

(iv) The period of appointment, the notice required to terminate it and period of probation, if any;

(v) The category, level, commencing rate of salary and, if increments are allowable, the scale of increments and the maximum attainable;

(vi) Any special conditions that may be applicable.

(b) A copy of the Staff Regulations and of the Staff Rules shall be transmitted to the staff member with the letter of appointment. In accepting appointment the staff member shall state that he or she has been acquainted with and accepts the conditions laid down in the Staff Regulations and in the Staff Rules;

(c) The letter of appointment of a staff member on secondment from government service signed by the staff member and by or on behalf of the Secretary-General, and relevant supporting documentation of the terms and conditions of secondment agreed to by the Member State and the staff member, shall be evidence of the existence and validity of secondment from government service to the Organization for the period stated in the letter of appointment.

Annex III

TERMINATION INDEMNITY

Staff members whose appointments are terminated shall be paid an indemnity in accordance with the following provisions:

(a) Except as provided in paragraphs (b), (c) and (e) below and in regulation 9.3 (b), the termination indemnity shall be paid in accordance with the following schedule:

Completed years of service	Months of gross salary, less staff assessment, where applicable a/ or Months of pensionable remuneration less staff assessment, where applicable b/		
	Permanent appointments	Temporary appointments which are not for a fixed term	Temporary appointments for a fixed term exceeding six months
Less than 1	Not applicable	Nil)	One week for each month
1	Not applicable	1)	of uncompleted service
2	3	1)	subject to a minimum of
3	3	2)	six weeks' and a maximum
4	4	3)	of three months' indemnity
5	5	4)	pay
6	6	5	3
7	7	6	5
8	8	7	7
9	9	9	9
10	9.5	9.5	9.5
11	10	10	10
12	10.5	10.5	10.5
13	11	11	11
14	11.5	11.5	11.5
15 or more	12	12	12

a/ For staff in the Professional and higher categories and in the Field Service category.

b/ For staff in the General Service and related categories.

(b) A staff member whose appointment is terminated for reasons of health shall receive an indemnity equal to the indemnity provided under paragraph (a) of the present annex reduced by the amount of any disability benefit that the staff member may receive under the Regulations of the United Nations Joint Staff Pension Fund for the number of months to which the indemnity rate corresponds.

(c) A staff member whose appointment is terminated for unsatisfactory services or who for disciplinary reasons is dismissed for misconduct other than by summary dismissal may be paid, at the discretion of the Secretary-General, an indemnity not exceeding one half of the indemnity provided under paragraph (a) of the present annex.

(d) No indemnity payments shall be made to:

A staff member who resigns, except where termination notice has been given and the termination date agreed upon;

A staff member who has a temporary appointment that is not for a fixed term and that is terminated during the first year of service;

A staff member who has a temporary appointment for a fixed term that is completed on the expiration date specified in the letter of appointment;

A staff member who is summarily dismissed;

A staff member who abandons his or her post;

A staff member who is retired under the Regulations of the United Nations Joint Staff Pension Fund.

(e) Staff members specifically engaged for conference and other short-term service or for service with a mission, as consultants or as experts, and staff members who are locally recruited for service in established offices away from Headquarters may be paid termination indemnity if and as provided in their letters of appointment.

Annex IV

REPATRIATION GRANT

In principle, the repatriation grant shall be payable to staff members whom the Organization is obligated to repatriate and who at the time of separation are residing, by virtue of their service with the United Nations, outside their country of nationality. The repatriation grant shall not, however, be paid to a staff member who is summarily dismissed. Eligible staff members shall be entitled to a repatriation grant only upon relocation outside the country of the duty station. Detailed conditions and definitions relating to eligibility and requisite evidence of relocation shall be determined by the Secretary-General.

Years of continuous service away from home country	Staff member with a spouse or dependent child at time of separation	Staff member with neither a spouse nor a dependent child at time of separation	
		Professional and higher categories	General Service category
	Weeks of gross salary, less staff assessment, where applicable a/ or Weeks of pensionable remuneration less staff assessment, where applicable b/		
1	4	3	2
2	8	5	4
3	10	6	5
4	12	7	6
5	14	8	7
6	16	9	8
7	18	10	9
8	20	11	10
9	22	13	11
10	24	14	12
11	26	15	13
12 or more	28	16	14

a/ For staff in the Professional and higher categories and in the Field Service category.

b/ For staff in the General Service and related categories.

APPENDICES TO THE STAFF RULES

Appendix I (rule 203.1)

SALARY SCALES

showing annual gross and the net equivalent after application of staff assessment

(In United States dollars)

Effective 1 March 1995

		S T E P S														
Level		I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
L-7	Gross	107,062	109,482	111,934	114,394	116,855	119,317									
	Net D	71,946	73,349	74,752	76,154	77,558	78,961									
	Net S	66,026	67,236	68,414	69,582	70,751	71,921									
L-6	Gross	94,299	96,371	98,442	100,510	102,581	104,653	106,724	108,795	110,880						
	Net D	64,544	65,745	66,946	68,146	69,347	70,548	71,750	72,951	74,152						
	Net S	59,645	60,680	61,716	62,750	63,786	64,821	65,857	66,893	67,913						
L-5	Gross	82,607	84,650	86,492	88,335	90,181	92,053	93,927	95,802	97,674	99,548	101,423	103,295	105,170		
	Net D	57,806	58,893	59,981	61,068	62,155	63,241	64,328	65,415	66,501	67,588	68,675	69,761	70,848		
	Net S	53,611	54,606	55,601	56,596	57,585	58,522	59,459	60,396	61,332	62,269	63,206	64,143	65,080		
L-4	Gross	67,706	69,475	71,240	73,005	74,774	76,565	78,362	80,159	81,955	83,751	85,546	87,346	89,141	90,954	92,782
	Net D	48,824	49,885	50,944	52,003	53,064	54,123	55,183	56,244	57,304	58,363	59,422	60,484	61,543	62,603	63,664
	Net S	45,413	46,378	47,342	48,306	49,271	50,240	51,210	52,181	53,151	54,120	55,090	56,062	57,031	57,972	58,986
L-3	Gross	54,837	56,463	58,097	59,727	61,361	62,993	64,624	66,279	67,938	69,599	71,258	72,917	74,576	76,256	77,945
	Net D	40,997	41,993	42,989	43,983	44,980	45,975	46,971	47,967	48,963	49,959	50,955	51,950	52,946	53,941	54,938
	Net S	36,291	39,197	40,104	41,009	41,915	42,821	43,727	44,633	45,539	46,446	47,352	48,258	49,164	50,073	50,985
L-2	Gross	43,754	45,131	46,543	47,957	49,369	50,783	52,197	53,609	55,026	56,485	57,943	59,405			
	Net D	33,990	34,882	35,772	36,663	37,553	38,443	39,334	40,224	41,116	42,006	42,895	43,787			
	Net S	31,914	32,730	33,539	34,349	35,158	35,969	36,779	37,588	38,399	39,209	40,018	40,830			
L-1	Gross	32,951	34,212	35,492	36,809	38,125	39,440	40,760	42,075	43,391	44,706					
	Net D	26,907	27,764	28,620	29,476	30,331	31,186	32,044	32,899	33,754	34,610					
	Net S	25,412	26,208	26,997	27,781	28,564	29,347	30,132	30,915	31,696	32,481					

D = Rate applicable to staff members with a dependent spouse or child.
S = Rate applicable to staff members with no dependent spouse or child.
* = The normal qualifying period for in-grade movement between consecutive steps is one year, except at those steps marked with an asterisk for which a two-year period at the preceding step is required.

Pensionable remuneration for purposes of pension benefits and pension contributions

(In United States dollars)

Effective 1 November 1994

	STEPS														
Level	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
L-7	120,837	123,738	126,471	129,310	132,212	135,180									
L-6	106,539	108,954	111,419	113,834	116,306	118,758	121,131	123,554	126,022						
L-5	94,577	96,744	98,819	100,934	103,126	105,156	107,321	109,819	112,055	114,152	116,289	118,465	120,681		
L-4	77,753	79,814	81,862	83,814	85,936	87,980	90,056	92,359	94,472	96,712	98,207	100,322	102,483	104,690	106,946
L-3	63,710	65,688	67,600	69,424	71,306	73,163	75,143	77,511	79,063	81,154	82,688	84,513	86,402	88,333	90,308
L-2	51,492	53,137	54,695	56,366	58,034	59,556	61,214	63,160	65,001	66,665	67,956	69,274			
L-1	40,378	41,764	42,992	44,243	45,624	46,861	48,344	50,277	51,908	53,397					

Appendix II (rule 211.1)

STAFF RULES 111.1 AND 111.2

Rule 111.1

Establishment

(a) Joint Appeals Boards shall be established in New York, Geneva, Vienna, Nairobi and at such other duty stations as may be designated by the Secretary-General to consider and advise the Secretary-General regarding appeals filed under the terms of staff regulation 11.1.

(b) Each Joint Appeals Board shall be composed of:

(i) Chairpersons appointed by the Secretary-General from among a list presented by the joint staff/management machinery in respect of the staff representative body or bodies at the duty station at which the Board is established;

(ii) Members appointed by the Secretary-General;

(iii) An equal number of members elected by ballot of the staff under the jurisdiction of the Board.

The number of chairpersons and members of each Board shall be determined by the Secretary-General upon recommendation of the joint staff/management machinery in respect of the staff representative body or bodies at the duty station at which the Board is established.

(c) The chairpersons and members of the Joint Appeals Board shall be appointed or elected for two years, shall be eligible for reappointment or re-election and shall remain in office until their successors are appointed or elected.

(d) A chairperson may be removed from a Joint Appeals Board by the Secretary-General upon recommendation of the joint staff/management machinery in respect of the staff representative body or bodies of the duty station at which the Board is established. The members appointed by the Secretary-General may be removed by him. The members elected by the staff may be recalled by a majority vote of the staff under the jurisdiction of the Board concerned, taken at the initiative of any staff representative body at the duty station at which that Board is established.

(e) Each Joint Appeals Board shall establish its own rules of procedure, which shall specify how its presiding officer and, where necessary, any alternate presiding officers shall be selected from among the chairpersons.

(f) Each Joint Appeals Board may, by a majority vote of all its chairpersons and members, recommend to the Secretary-General changes in the present chapter of the Staff Rules.

(g) The secretariat of each Joint Appeals Board shall consist of a Secretary and such other staff as may be required for its proper functioning.

Rule 111.2

Appeals

(a) A staff member wishing to appeal an administrative decision, pursuant to staff regulation 11.1, shall, as a first step, address a letter to the Secretary-General, requesting that the administrative decision be reviewed; such a letter must be sent within two months from the date the staff member received notification of the decision in writing.

(i) If the Secretary-General replies to the staff member's letter, he or she may appeal against the answer within one month of the receipt of such reply;

(ii) If the Secretary-General does not reply to the letter within one month in respect of a staff member stationed in New York, or within two months in respect of a staff member stationed elsewhere, the staff member may appeal against the original administrative decision within one month of the expiration of the time-limit specified in this subparagraph for the Secretary-General's reply.

(b) The Secretary-General, in reviewing the administrative decision in question, may, with the consent of the staff member or at the latter's request, seek the assistance of a chairperson or member of the appropriate Joint Appeals Board, to be designated by its presiding officer, with a view to reaching a conciliatory conclusion of the matter. This procedure is without prejudice to the right of the staff member to pursue an appeal under the provisions of this rule.

(c) Neither a request for administrative review under paragraph (a) above, nor the filing of an appeal under paragraph (d) below shall have the effect of suspending action on the contested decision.

(i) However, the staff member concerned may request a suspension of action on such decision by writing to the Secretary of the appropriate Joint Appeals Board under paragraph (d) below. The request shall set forth the relevant facts and indicate how implementation would directly and irreparably injure the staff member's rights;

(ii) Upon receipt of such a request, a panel of the Board shall be promptly constituted, and shall act expeditiously. If the panel, after considering the views of both parties, determines that the decision has not been implemented, and that its implementation would result in irreparable injury to the appellant, it may recommend to the Secretary-General the suspension of action on that decision:

a. Until the time-limits specified in subparagraph (a) (i) or (ii) have passed without an appeal having been filed, or

b. If an appeal is filed, until a decision on the appeal is taken;

(iii) The Secretary-General's decision on such a recommendation is not subject to appeal.

(d) An appeal pursuant to paragraph (a) or a request for suspension of action pursuant to paragraph (c) above shall be filed with the Secretary of the appropriate Joint Appeals Board, to be determined as follows:

(i) With respect to staff members serving at a duty station at which a Board has been established or who are administered by organizational units located at such duty station, it shall be the Board;

(ii) With respect to former staff members who last served at a duty station at which a Board has been established or who were administered by organizational units located at such a duty station, it shall be that Board;

(iii) With respect to all other staff members and all other former staff members, it shall be the Board established in New York, provided that the Secretary-General may decide, at the request of the staff member, to refer the appeal to another one of the Boards or to establish an appropriate ad hoc body. Such staff members or former staff members may meet the time-limits specified in subparagraphs (a) (i) or (ii) by delivering the requisite submissions within such limits to any office of the United Nations for transmission to the appropriate Board.

(e) (i) For the consideration of each appeal, the presiding officer of the appropriate Joint Appeals Board shall constitute a panel of the Board, composed as follows:

a. A panel chairperson from among the chairpersons of the Board;

b. A member selected from among those appointed by the Secretary-General;

c. A member selected from among those elected by the staff;

(ii) In constituting such panels, the maximum possible rotation of chairpersons and members of the Board shall be observed: the modalities of such rotation shall be specified in the rules of procedure of the Board. No person who has assisted the Secretary-General in a conciliation procedure referred to in paragraph (b) shall serve on a panel established to consider an appeal relating to the same case;

(iii) Before a panel undertakes consideration of an appeal, the parties shall be notified of the proposed composition thereof. The presiding officer of the Board may, at the request of either party, disqualify the chairperson or either member if, in the opinion of the presiding officer, such action is warranted to ensure impartiality. He or she may also excuse the chairperson or either member from serving on the panel;

(iv) Subject to the principles set out in subparagraphs (i) to (iii), the presiding officer of the Board shall fill any vacancies arising on the panel.

(f) An appeal shall not be receivable unless the time-limits specified in paragraph (a) above have been met or have been waived, in exceptional circumstances, by the panel constituted for the appeal.

(g) At the duty station where the appeal is considered, the designated representative of the Secretary-General shall submit a written reply within two months following the date of receipt of the appeal.

(h) Proceedings before a panel shall normally be limited to the original written presentation of the case, together with brief statements and rebuttals, which may be made orally or in writing, in one of the working languages of the Secretariat.

(i) A staff member may arrange to have his or her appeal presented to the panel on his or her behalf by another serving or retired staff member. The staff member may not, however, be represented before the panel by any other person.

(j) Where the competence of the Joint Appeals Board is in doubt, the panel constituted for the appeal shall decide.

(k) In the case of termination or other action on grounds of inefficiency or relative efficiency, the panel shall not consider the substantive question of efficiency but only evidence that the decision was motivated by prejudice or by some other extraneous factor.

(l) The panel shall have authority to call members of the Secretariat who may be able to provide information concerning the issues before it and shall have access to all documents pertinent to the case. Notwithstanding the preceding sentence, should the panel wish to have information or documents relating to the proceedings of the appointment and promotion bodies in questions involving appointment and promotion, it shall request such information or documents from the Chairperson of the Appointment and Promotion Board, who shall decide on the panel's request, taking into account the interests of confidentiality. This decision of the Chairperson is not subject to appeal. The Chairperson of the panel shall determine which documents are to be transmitted to all members of the panel and the parties.

(m) In considering an appeal, the panel shall act with the maximum dispatch consistent with a fair review of the issues before it.

(n) Within one month of the date on which the consideration of an appeal has been completed, the panel shall, by majority vote, adopt and submit a report to the Secretary-General. The report shall be considered as constituting a record of the proceedings in the appeal and may include a summary of the matter as well as all recommendations that the panel considers appropriate. Votes on the recommendations shall be recorded and any member of the panel may have his or her dissenting opinion included in the report.

(o) The final decision on the appeal will normally be taken by the Secretary-General within one month after the panel has forwarded its report, and shall be communicated to the staff member, together with a copy of the panel's report. The Secretary-General's decision and a copy of the panel's report shall also be transmitted to a designated officer of the staff representative body or bodies at the duty station at which the Joint Appeals Board is established, unless the staff member objects.

(p) To enable staff members to exercise their right to make application to the Administrative Tribunal under article 7, paragraphs 2 (b) and (c), of its statute, the Secretary of the Joint Appeals Board concerned shall, at the request of the staff member, communicate to him or her the report of the panel, if the Secretary-General has not made a decision upon the report within a period of one month after the date on which the report was submitted to him.